54

Ack + approve
C. P.

J101279
R968-8
Trade

Ack'd with approval
June 21. 1880.
Wm Evarts

No. 665.

One Enclosure.

Legation of the United States.

Peking, April 23rd, 1880.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

George F. Seward to the Secretary of State.

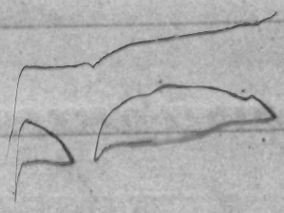
PRINTED.
FOREIGN RELATIONS.
1880

Subject.

Trade grievances. Interview with the Chinese Foreign Office.

Synopsis.

Mr. Seward reports a conference upon this topic, the line taken in it, the further steps which the foreign Representatives propose to take, and asks the approval of the Department.



No. 665. One Enclosure.

Legation of the United States.

Peking, April 23rd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I had the honor to advise you on the 7th instant, by my despatch number 655, that the foreign Representatives at this Capital had again addressed themselves to the Ministers of the Tsung li Yamen, calling their attention to the request made in November last, and repeated afterward, that an opportunity be accorded them to place their views regarding trade grievances before the Ministers

Ministers in conference.

This note was answered by
1/665. the Ministers of the Yamen on the
13th instant. They expressed willingness
to meet us, whenever convenient for
us.

To this we responded at once
naming Tuesday, the 20th instant for
such conference.

On Monday, the 19th, in
anticipation of the conference, the
several foreign Representatives met
and decided upon the line of action
to be followed at the meeting. Our
determination was, substantially, that
we should refer, first, to the statement
of greivances presented in November,
as indicating the matters of which we
have a right, as we believe, to complain,

and

and then to say that the despatch sent to us by the Ministers, answering in detail our letter of November contained three proposals:—

1st. That we should abandon our exterritorial privileges, and that all persons within the jurisdiction of China should become equally responsible to the Government, and equally entitled to share in its benefits.

2nd. That we should stand by the existing treaties, each side exercising its best efforts to give effect to their stipulations.

3rd. That the Convention concluded between Sir Rutherford Alcock, Her Majesty's Minister, and the Yamen in 1869, but not ratified by this Government

Government, should be adopted by all the Powers.

Refusing to these proposals, we should answer that the first one cannot be taken into consideration for reasons which it would be unnecessary to recite; that the second one would be more or less perfectly satisfactory to us, but that there is reason to fear that foreign Governments and the Government of China would differ in the future, as they have in the past, regarding the meaning of some of the most important stipulations of the Treaties; and that the third appears to offer a basis for discussion, inasmuch as the Alcock Convention contains provisions which would prove

beneficial

beneficial, if adopted, to foreign interests and to those of China.

While adhering then to the reading of existing Treaties as indicated in the statement of grievances, the foreign Representatives desired to propose conferences with the Yamen intended, not so much to define the intent of existing stipulations, as to reach a basis for further stipulations which will be satisfactory to both sides.

This line was followed at our interview of Tuesday with the Ministers of the Yamen, who responded that they are entirely willing to enter upon such conferences.

It was then arranged that discussions of given parts of the business

business in hand should be left, in the first instance, to persons delegated by the Diplomatic Body, either Chiefs of Missions or Secretaries, and to such members of the Yamen, or Secretaries, on the Chinese side, as may be named by the Yamen.

On the same day, the several foreign Representatives met in conference and agreed to refer the leading questions at issue with the Chinese to persons of their number, for the definition of the objects in view and of remedies, as follows:—

To Sir Thomas Wade. The reforms needed in order to place the import trade upon a more satisfactory basis.

To Mr. von Brandt. The reforms needed

needed for the export trade.

To Mr. Seward. The reforms needed in the currency in order to regularize the collection of Customs duties and dues.

The several Representatives met again yesterday, Thursday the 22nd instant, in order to submit their reports.

My own was called for first and I read a Memorandum which I shall transmit to you in a separate despatch. The conclusions expressed in it were accepted by my colleagues, and I was requested to place the subject before the Ministers of the Yamen, reserving one point to which I shall allude in my separate letter.

The

The report of Mr. von Brandt was then given partly from manuscript and in part orally. His proposal was to take the Tchinkiang rules of 1877 as a basis and to prepare an improved set of rules for the issue of transit passes outwards, and to put these on trial for a given period, further negotiations with the Chinese to be delayed until experience has been gained of the practical working of the rules.

Sir Thomas Wade was not prepared with a written statement or with proposals, but submitted for consideration the question whether we find it more prudent and desirable to move toward our object, the prevention of the irregular

irregular and unlawful taxation of trade, by an attempt to throw safeguards around the execution of our Treaties, or by proposing an entirely different system, substantially such, for instance, as that proposed in the British Convention of 1869., and which met great favor at the general conferences of last year.

I have already informed You, in my despatch number 59. of the 10th of February that, while very anxious to avoid action which will disturb existing treaty stipulations, the circumstances affecting the import trade are such that it appears desirable "to seek a common standing ground with the Chinese "in such modifications of the treaties as

"as will more or less perfectly satisfy
"both sides." The same despatch
contained a statement of the measures
which, in my opinion, should be
instituted to this end, and which do
not differ in principle from the plans
proposed in the Convention of 1869.

The propriety of pursuing this
course was assented to at once by the
several Representatives, and Sir Thomas
Wade was requested to reduce the
proposal to writing for the more
particular discussion of details.

I understand that the object
of the several Ministers is to carry
discussions with the Yamen far enough
to ascertain exactly what can be
accomplished in the several directions
named, and then to refer the whole
matter

matter to our respective
Governments with a request for
instructions. This, at any rate, is
my own proposal.

I respectfully ask your
approval of the action reported in
this despatch.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Prince Kung to Mr. Seward
2/1880. April 13th, 1880.

Despatch No. 665.
Enclosure.

27/1880

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

Upon the 9th instant I had the honor to receive a collective note from T. E. the foreign Representatives in the matter of commercial grievances stating that upon the 3rd of February last, they addressed to me a note requesting that a day for a conference be named, but had received no response etc, etc,

I have the honor to observe in response that the note of February 3rd from T. E. was received, but inasmuch as this Office had, upon the 19th of January, suggested three different propositions in the business, and asked them to indicate which they preferred, I supposed that an answer should be awaited before holding a conference.

Being

Being now in receipt of T. C.'s note, I beg that the foreign Representatives will suggest the time for the conference,

N. E. George F. Seward,
etc, etc, etc, etc,

Peking, April 15th, 1880,

Instruction as to use of Hektograph June 21. 1880. Mr Caldwell

ack

W Hdqrs

No. 666. One Enclosure.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

Legation of the United States.

Peking, April 24th, 1880.

George F. Seward to the Secretary of State.

PRINTED.
FOREIGN RELATIONS.
1880

Subject.

The currency paid for Customs dues.

Synopsis.

Mr. Seward refers to his despatch, number 665., and forwards a minute which he has prepared upon the subject at the request of his colleagues.

F.R.

No. 666. One Enclosure.

Legation of the United States.

Peking, April 24th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my despatch, number 665. of the 22nd instant, in which I informed you that the foreign Representatives had agreed with the Tsung li Yamen to proceed to the discussion of trading greivances, and that I had been requested by my colleagues to present to the Ministers of the Yamen a statement of the reforms needed in the collection of customs dues and duties on foreign trade

trade having reference to the irregularities in the currency system of China, such statement to be based upon the facts and considerations set forth in a Memorandum which I had prepared for their examination, I have now
1666. the honor to hand to you a copy of my memorandum.

The papers referred to herein as bearing upon the subject under consideration were transmitted to the Department with my number 413. of March 6th ult. 1878. and Mr. Holcombe's despatch number 11. of June 24th, 1878.*

You will remark, upon an examination of the several papers named, that no gold or silver coins are issued by the Chinese Government

*See For. Rel. 1878, p. 132.

Government, that bullion, chiefly silver, is passed as money; that the scales by which bullion is weighed and the fineness of the silver vary in different parts of the Empire and even in the ports open to foreign trade; that there is a standard scale and a standard of purity known as the Treasury tael; that the exact weight and fineness of this tael have not been determined by foreign processes; and that the Customs authorities have set up an arbitrary scale which is somewhat more favorable to the Customs than the Treasury scale. You will remark, also, that the values of foreign coins relatively to the standard tael have not been, indeed could not have been,

determined

determined.

You will remark further that it is our opinion that the standard or Treasury tael should be declared the standard for Customs dues and duties, that its weight and fineness should be ascertained; that the weight and fineness of local taels should be ascertained; and the relative values of foreign coins declared.

I am of opinion that, since the Customs tael is somewhat more favorable to the Customs than the Treasury tael, and since payments to the Customs have long been made by the Customs tael standard, it will not be easy to secure the adoption of the

Treasury

Treasury tael standard. For this reason I suggested in my memorandum that a percentage to cover expenses for the examination of bullion, mintage, etc., should be allowed to the Customs on all duties and dues collected in Treasury taels. These expenses have heretofore been defrayed out of the premia on Customs taels, the Imperial and Provincial Authorities receiving from the Customs Treasury taels only, tael for tael, of the collections made in Customs taels.

My colleagues are disposed not to yield this point to the Chinese, but I believe that it will be difficult, if not impossible, to carry our proposals unless we do so

do.

I shall report, of course, each step of my procedure in this business.

I have the honor to be,

Sir,

Your obedient servant.

George F. Seward

Enclosure.

1. Memorandum by Mr. Seward.

April 22nd, 1880.

Despatch No. 666.
Enclosure.

Memorandum.

Mr. Seward the Minister of the United States, having been requested by his Colleagues in Conference to prepare a statement of the reforms needed in the collection of Customs duties and dues on foreign trade, having reference to irregularities in the currency system of China, submits the following.

1st. The subject has already been studied and certain conclusions stated by Mr. von Brandt, the Minister for Germany, and by Mr. Seward. The conclusions of Mr. von Brandt and the data upon which they are founded are contained in a printed paper prepared by the former in February 1878., and intitled "Memorandum on the Chinese Currency." The conclusions of Mr. Seward, and the

data

data upon which they are founded are contained in a printed paper prepared by him in February, 1878., and entitled "Memorandum on the "Currency of China". Copies of these papers are appended hereto.

Examination of these will show that the results declared by each of the persons named are in substantial accord.

2nd. The facts elicited, by them are as follows:—

a. That the standard of value in China, and of the receipts and expenditures of the Government, is the Kuping or Treasury tael of silver.

b. That the weight of this tael and the fineness of the silver have not been determined accurately.

c. That Customs duties and dues should be paid according to this standard.

d. That an arbitrary standard has been set up, called the Haikwan

(Customs)

(Customs) tael, and that duties are collected, nominally, upon this assumed basis.

e. That the weight and fineness of the Haikwan tael have not been determined accurately.

f. That Customs duties and dues are collected, generally, in the local taels of the ports.

g. That the weight and fineness of such local taels, and their values, relative to the Kuping and Haikwan taels have not been determined accurately.

h. That foreign coins are sometimes paid into the Customs, and that the values of these relatively to the Kuping and Haikwan taels have not been determined accurately.

i. That the values of local taels and foreign coins, relatively to the Haikwan standard, are not constant even at the same port.

j. That at one port at least the relative

relative values of local and Haikwan taels have been assessed differently at the foreign Customs, respect being shown to the nationality of the merchant.

3rd. It is evident from what has been thus stated that it is desirable to take steps intended to give uniform results in assessing the sums due for Customs duties and dues on foreign trade, and in collecting such duties and dues. Mr. Edvard suggests the following measures to this end, to effect which negotiations with the Chinese Government would be necessary.

k. The Kuping tael should be declared the standard for Customs collections.

l. The weight of the Kuping tael in grains troy and gradients should be ascertained and declared.

Mr.

m. The fineness of silver of the Kuping standard should be ascertained and declared.

n. The values of local taels and the fineness of the silver of such taels should be ascertained and declared.

o. The values of foreign coins should be ascertained and declared.

p. The regulation of customs collections should apply to foreign trade at large, under the Treaties whether conducted by foreigners or natives.

Mr. Seward suggests further:—

q. That, in order to render the foregoing proposals less difficult, to the Chinese Government a percentage should be allowed upon the customs duties and dues collectable under the Treaties to cover the necessary expenses attending the

examination

examination, weighing, etc. of the
monies tendered in payment.
Such percentage might be one
half of one per cent upon
collections, or even one per cent
and still leave the foreign
merchant less to pay than at
present under the Haitian
assumed standard. The sums
received from the customs by
the Imperial and Provincial
Governments would, in such
case, not be less than at present,
for it is believed that the native
bankers who actually receive
customs payments do not
account for the premia on
monies received, but make
their returns in Kuping taels,
tax for tael, thus receiving the
benefit of the irregularities of
which foreigners complain.

Mr. Seward believes
that the reforms indicated can be
demanded

demanded of the Government, under the Treaties, and that they are so far reasonable and in the interest of good government that they may not meet with strenuous opposition anywhere, excepting on the part of those who derive advantage from existing irregularities.

Mr. Seward has not spoken of the establishment of a Mint, for the reason that foreign Representatives have no right to demand such a step, that they have already met with a rebuff in proposing it for the consideration of the Government, and because the reforms now sought would go far to prepare the way for it.

Mr. Seward believes, however, that so many inconveniences and so much uncertainty attend the passing of bullion for purposes of money, and that Chinese methods of assaying, in particular, are so

defective

Inclosed [illegible] opportunity should be taken to urge upon the Government the [illegible] that no Chinese [illegible] whose [illegible] can be [illegible] should be permitted to [illegible] as that [illegible] provides for the [illegible] of [illegible] Chinese [illegible] under the Commercial [illegible].

Foochow April 22nd, 1880.

Inclosed Papers.

1. Copy of Consul [illegible] "Memorandum on Telegraphic Business."
2. Copy Consul [illegible] "Memorandum on the Currency of China."

No. 667.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

Legation of the United States.

Peking, April 27th, 1880.

George F. Seward to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 343. 344. 345. and 346. have been received.

No. 667.

Legation of the United States.

Peking, April 27th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have had the honor to receive your instructions, numbered respectively 343. 344, 345, and 346.

I have the honor to be,

Sir,

Your obedient servant.

Georgs F. Seward.

Ack

Made

No. 668.

Legation of the United States

Peking, April 27th, 1880.

DEPARTMENT OF STATE
JUN
14
1880
RECEIVED

George F. Seward to

the Secretary of State

Subject.

Lew-chew question.

Synopsis.

Mr. Seward responds to Department instruction, number 346., that he made but one suggestion to the Chinese which affects the merits of the case, and that the Chinese understand fully that what he said was solely upon his own motion. If necessary will speak with them again.

No. 668.

Legation of the United States.

Peking, April 27th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to your instruction, number 346. of the 4th of March, in regard to the Lewchew question, and more particularly to the intimation contained in it that it may be desirable for me to state to the Ministers of the Foreign Office that I had given them certain advice in regard to the management of the controversy with Japan of my own motion and without the

knowledge

knowledge of the Department, I have the honor to respond as follows.

The opinion which I expressed to them, as reported in my despatch, number 533., that reference to arbitration would be disastrous, unless they should submit the case as it stood before the Formosa Convention was concluded, was the only advice tendered by me that can be considered to affect the merits of the matter. This was given before I had any knowledge that an application had been made for our good offices, or was supposed to have been so made, and had reference, as I stated in my despatch, to rumors that

arbitration

arbitration was likely to be
proposed by my English colleague.
It was given as my personal
opinion, and was completely so
understood by the Ministers.

In case it shall appear
necessary or appropriate hereafter,
in deference to your instruction
to recall the attention of the
Ministers to the fact that what I
then said was distinctly of my
own motion, and in advance
of all knowledge here, whether
on the part of the Govern or of
myself, that Mr. Bo., the Chinese
Minister at Tokio, had so written
to Mr. Bingham as to lead the latter
and yourself to believe that an
application was being made for the
good

good offices of the President, I shall take pains to do so in such manner as to remove all misunderstanding.

My later despatches to you than those to which your present instruction is in response, will have indicated to you that the whole business has been so conducted by me as to lead the Chinese to a perfect appreciation of the friendly and just attitude of our Government, and to maintain the dignity of our position.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

June 18th 1880

I have read this dispatch with care. To me it is unintelligible. If Mr Seward were Chinese Minister for foreign affairs it would be perfectly intelligible. If there is any one claim in the Department that I am thoroughly acquainted with it is this Hill claim & for more of my information and all my instructions concerning it from Mr Seward.

I think this dispatch should be carefully redrafted & simplified as Mr Angell has just been instructed in the case of Consul

Referred to Mr. Hill
Action taken Sept. 22.
✓ See letter from Mr. Hill of August 5. and Sept. 22. 1880 - and Dept. reply Sept. 22. and Oct. 29. 80.
✓ See, also, report to Hon. Sec. of Nov. 11. 1880. upon Mr. Hill's claim.

Made
File
C. Conner
June 18th 1880

No. 669.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

Legation of the United States.

Peking, April 27th, 1880.

George F. Seward
to
the Secretary of State.

Subject.

Claim of Mr. Charles E. Hill.

Synopsis.

Referring to Department instruction, number 341, Mr. Seward asks the further instruction of the Secretary of State upon certain points to which he calls attention.

No. 669.

Legation of the United States.

Peking, April 27th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have had the honor to receive your instruction, number 341, in regard to the claim against the Chinese Government preferred by Mr. Charles E. Hill, growing out of the charter of the steamer "Keoyeo" by him at Shanghai in the year 1862. to Yang Tsze for the service of the Chinese Government and her loss while under charter.

I

It appears very desirable to conduct this business with the greatest carefulness, and that my reference to the Tsung li Yamen when made shall be defended in all respects by your instructions.

I beg leave therefore to call your attention to the following points upon which your instruction is silent, or in regard to which the facts may not have been understood by you:—

1st. I am led to infer that you believe that there has been no failure or misdirection of effort on the part of Mr. Hill. You say, in your instruction number 210., "The claim accrued in "1863., and the records of the Department "show by despatches from the Consulate

General

"General and the Legation that the
"claim has been unremittingly
"pressed by the claimant ever
"since that time; first against the
"legal representatives of Taku; then
"against the local authorities at
"Shanghai; and finally, after the
"Department had, upon examination
"of all the facts and circumstances,
"reached the conclusion that the
"claim was one the adjustment of
"which properly rested with the
"Imperial Government, it has
"been pressed in that quarter."

I should remark in regard to the premises thus laid down:—

a. That Mr. Hill's claim, as a claim against the Government of China, was

was never placed before the local authorities at Shanghai. A part of it only, a demand for four months charter money, was put forward, & submitted to arbitration, and rejected upon what we now believe to have been a misunderstanding of the facts.

b. That presentation of the claim to the representatives of Takee's estate may not be considered, as I judge, equivalent to its presentation to the Government of China, or to any of its authorities.

c. That the suit instituted by Messrs. Hill in 1874-5. at Shanghai, against the estate of Takee, was distinctly against the estate.

d. That the claim was never &

presented

presented to the Government of China until 1876, and it was only after the receipt of Mr. Fish's instruction number 83., that it was presented as a claim against the Government.

I cannot conceal from you my convictions that, under these circumstances, we cannot hold the Chinese Government responsible for interest prior to the date (Dec. 7th, 1876.) when the claim "was "presented as one the settlement "of which properly rests with the "Chinese Government."

2nd. It seems to me again that the Department has overlooked the extraordinary disproportion between the claim and the original outlay of the claimant. He stipulated in

the

stipulated in the charter party that he should receive Taels 12.000 for the steamer as indemnity in case of her loss. This sum must be considered then to represent, more or less perfectly, the actual value of the vessel, at the time when she was chartered.

She was used fourteen months @ Taels 3.000 as stipulated for = Tls. 42.000

She was lost and the indemnity is Taels 12.000.

Total Taels 54.000.

In fourteen months therfore Mr. Hill was to receive four and one half times the cost of his craft. In my own opinion it is his right to do so. But if we add 17 years interest, not compounded, at say 10% we must increase the capital sum

sum of Taels 54.000

by the amount of interest

say Taels 5,400 × 17 or " 91.800

~~In interest~~ In all Taels 145.800

~~interest of~~ son Taels 12.000 is

~~Taels to be invested~~ for 17 years it would

~~become equal to~~ Taels 20.400

~~This added to the capital~~ of " 12.000.

~~would leave~~ all Taels 32.400

~~So that if~~ then we recover for

~~him both~~ Taels 54.000 he will receive

~~back fully~~ one and a half times

~~the interest~~ of his original "

~~investment~~ with interest added

~~at 10% for~~ a year, but if we recover

Taels 145.800, he will receive nearly

~~four times~~ the amount of his "

capital with interest at 10% "

added.

Ll

It may be asked seriously whether the claimant has the right to expect this Government to sustain him in a demand of such an extraordinary sort. We are not placing his case before a court of law, we are not even urging a demand upon a Government which has the same opportunities to raise technical points as we have. We are seeking, as I think, to secure an equitable settlement, for our countryman, of an account created by a contract with a foreign and not very well informed Government and I think that we should exercise the greatest care not to deal with the matter so as to weaken the confidence of that Government in us, or to

open

open ourselves to a charge, at least, of exacting the full measure of an obligation which, as I have pointed out under part 1st 4, is not without fault.

3rd 4. Of late much attention has been called in this country to the fact that we hold a large portion of a sum of money received by us from the Chinese Government to indemnify our people who had suffered losses at or near Canton in the years 1856-7, this portion being in excess of the legitimate demands of the claimants, and that many of our public men and others think that this money belongs rightfully to China, and should be returned to her.

The

The Government of China is well aware of the facts, and knows in particular that the Foreign Relations Committee of the Senate reported on this subject in 1870. and offered to the Senate a bill, one person dissenting, providing for the return of the remainder balance to China. It is also well aware that the ex President of the United States, General Grant, when appealed to at Tientsin last year by a Committee of officials charged with the relief of the sufferers from the great famine which prevailed in this region during 1876-79, gave it as his opinion that the money in question ought to be returned to China, and stated that

He

he had so advised Congress, while President, on more than one occasion.

I must confess to you that the collection of claims from this Government, under these circumstances, is a matter of difficulty, and that the morality of efforts to extract money from them to indemnify our citizens, while we have a large fund in hand, secured by us for that purpose, becomes doubtful.

While asking you to consider the points which I have thus placed before you, I beg to say, further, that, if efforts are to be made to secure the collection, by direct diplomatic resort to this Government, of Gen. Hill's claim

in

in the full measure stated in your instruction under reply, it becomes desirable to bear in mind further:-

4th. That you have made no mention of the so called "Board claims," which stand upon a more secure basis than Mr. Hill's claim.-

5th. That your instruction, number 341., and the earlier one, number 210., do not mention the rate of interest to be demanded.

6th. That I exhausted my best efforts in the years 1876.-7. to secure the settlement of these old matters, a legacy to me from all my predecessors at this Capital, and that I called your attention, in my despatch, number 449., of July 5th, 1879. to the good which might be done by

by Your speaking on the subject to the Minister of China at Washington. The Government here is not likely to believe that we are really in earnest until this step shall have been taken.

I beg leave to say in conclusion that I have exercised the greatest care, earnestness, and perseverance in the presentment to the Chinese Government of the "Ward" and "Keogsi" claims; that nothing less than the downright by persistent efforts which I made brought the Government to the very important admissions of responsibility heretofore reported by me to the Department: that these efforts have drawn forth evidences of appreciation

on

on the part of the Department and of the several claimants; and that I should be very glad to be able to dispose of the claims finally. I feel that, under these circumstances, my views regarding the further prosecution of the claims are entitled to much weight.

I need not add that I have felt more at liberty to draw your attention to the matters suggested herein, because, in your despatch, number 210., while writing on the same subject, you said in conclusion:- "These "suggestions are submitted for "your guidance in the future "conduct of the negotiations in "regard to the claims, and are not intended

"intended to modify or interfere
"with the discretion which the
"Department, in its former
"instructions, has committed to
"You."

I have the honor to be,
Sir,
Your obedient servant.
George F. Edwards

Legation of the U.S.—China.

File

No. 1127 1130 Mr Adee

HALF RATE MESSAGES.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company **TRANSMITS** and **DELIVERS** messages only on conditions, limiting its liability, which have been assented to by the sender of the following message.

Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of **Unrepeated Messages.**

This message is an **UNREPEATED MESSAGE**, and is delivered by request of the sender under the conditions named above.

A. R. BREWER, Sec'y. NORVIN GREEN, President.

Dated Ann Arbor Mich Nov 17 1880

Received at 11 20 P

To Hon Wm M Evarts

WDC

If final instructions
can be given
Tao will arrive
Friday morning otherwise
prefer to wait
please inform me

Wpd Jas B. angell

READ THE NOTICE AT THE TOP.

made

One Enclosure.

Legation of the United States.

Peking, April 29th, 1880.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

Chester Holcombe to
the Secretary of State.

Subject.

Newspaper report of certain statements made by the Consul at Hongkong.

Synopsis.

Mr. Holcombe calls attention to certain charges against himself reported in the Boston Journal as having been made by Mr. Insley; he denies their truth, & complains of their having been made in the manner indicated, and requests

that

that Rev. Crosby be required either to substantiate or formally withdraw them.

One Enclosure.

Legation of the United States.

Peking, April 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

My attention has been called to a lengthy article published in the Boston Journal of February 25th, dated "Washington, February 22nd, "1880.", and giving what purports to be, substantially, an exact transcript of a despatch written by Mr. Consul Knobby of Hongkong to the Department, in rejoinder to certain charges made against him by the Consul at Singapore, and

and to which the Department had called Mr. Crosby's attention.

One paragraph of the dispatch as quoted contains the following language:— "I have "said that I believed Mr. Studer "availed himself of a mere pretext "for writing his letter. I have "every reason to believe that the "man who inspired it is the "Reverend Chester Holcombe, a "renegade missionary, now "Secretary of Legation at Peking, "whose chief employment since "I have been in the East has "been in writing around different "countries to procure such letters "to be written against me."

If Mr. Crosby is fairly quoted

quoted in this paragraph. He makes two statements. First, he declares that he has every reason to believe that I inspired Mr. Studer's charges against him, and, second, he broadly asserts that my chief employment since he has been in the East has been "in writing around different "countries" in order to procure or promote attacks upon him.

I beg leave to say most respectfully, but emphatically, that both of these statements are entirely untrue.

As to the first, I have no acquaintance with Mr. Studer, and I never, either wrote to him, received a line from him, or caused any

other

other person to write to him in my life.

As to the second, so far is it from being true that my chief employment, during the fourteen months of Mr. Moseby's residence at Hongkong, has been the writing to different parts of the world to incite attacks upon him, that, on the contrary, I have written no letters, either official or private, in which he has figured in any way whatever. You will perhaps find in the voluminous correspondence between this Legation and the Department sufficient evidence that the legitimate duties of my position are quite sufficient to occupy my time. Be that as it

it may, I have incited no attacks upon Mr. Mosby, and I obtained my first intimation that such attacks had been made from the newspaper extract from which I have quoted above.

You will notice that the Consul at Hongkong has seen fit to characterize me as a "renegade & "missionary". Just what idea he meant to convey by the adjective which it pleased him to employ, is not clear. But it is clear that a person fit and competent to hold such a position as that occupied by Mr. Mosby in the Government service, might to know and must know that the word used by him lies far without the bounds of courteous, not

to

to say decent, language, and could not be otherwise than offensive in the extreme.

I am fully aware that, as a subordinate officer in the diplomatic service of the Government, I have no right to expect that my conduct, either official or private, shall be screened from legitimate criticism. Nor do I object to attacks upon myself, provided that they are made in a fair and open manner, and laid properly before the Department, with whom, primarily, the scrutiny of my conduct lies, and where I am quite content to have it remain.

But I respectfully submit that

that I have a right to object to
being made, in any degree, the target
for such guerilla propensities as
are manifested by the Consul at
Hongkong, and to having my name
flaunted in the newspaper press
in the exceedingly unjust and
offensive manner in which Mr.
Crosby has seen fit to use it.

I beg leave therefore to ask
the Department to call upon Mr.
Crosby to furnish the authority upon
which he has made the charges
embraced in the paragraph quoted
above, and that he be required, either
to substantiate those charges, or to
formally withdraw them.

The article in question has
appeared in at least two prominent
newspapers

newspapers of the United States — namely the "Boston Journal" and the "Baltimore Sun". It has also, I understand, traveled back to China and been published at Shanghai.

That the publication of such a slanderous paragraph should give great pain to my friends in America and China, and to myself, is a small matter. But the harm done by it goes far beyond any such limit, while by no remote possibility can it be supposed to do any good. And certainly it is not too much to claim that no person has a right to make public such an accusation against an officer of the diplomatic service

service, until formal complaint against the officer concerned has been made and substantiated before you.

It does not appear how the article in question reached the public eye. It is not to be supposed that it was furnished to the press by the Department, but it may have been handed by the Department to the Committee of Congress who are engaged in investigating the charges made against Mr. Bailey, and have reached the press from that Committee, or it is possible that Mr. Crosby may himself have furnished a copy of it for the newspapers.

If the former supposition should prove to be correct, I trust that the Department

Department will furnish the Committee concerned with a copy of this letter. If the latter supposition be true, I doubt not that you will take steps to prevent a repetition of such action on Mr. Mosby's part.

I have addressed Mr. Mosby upon this subject, and beg leave to submit a copy of my letter, herewith, for your inspection.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

1. Mr. Holcombe to Mr. Mosby. April 27th, 1880.

Enclosure.

Copy

Peking, April 27th, 1880.

Dear Mr. Morley.

In the early part of November last, I received a letter from a correspondent in the United States enclosing a newspaper extract which was headed "The Hongkong Consulate", and "Los Angeles Cal. Sept. 22nd", and which purported to give the substance of a letter received from you containing, among other statements, the following: "Private "Secretary Holcombe has written "letters to various officials in "China denouncing Morley". At the moment, doubting whether you were properly represented as being the author of the statement in question, I contented myself with replying to my correspondent that I had never written any letters to officials or other persons in

China

China or elsewhere denouncing you.

By the American mail which reached me last evening I have another letter from my correspondent which encloses a very lengthy newspaper extract made up of what purports to be, in the main, an exact copy of a despatch which you have written to the State Department in regard to certain questions which have arisen between yourself and Mr. Consul Studer of Singapore. In this quotation of your despatch appear the following words:—

"I have said that I believed "Mr. Studer avails himself of a "mere pretext for writing his letter "I have every reason to believe that "the man who inspired it is the "Reverend Chester Holcombe, a "renegade missionary, now Secretary "of Legation at Peking, whose "chief employment since I have "been in the East has been in "writing around different countries

to

"to procure such letters to be written
"against me."

If you have been correctly quoted, you make in this paragraph two statements, first - that you have every reason to believe that I inspired Mr. Studer's letter against you; and, second - You assert broadly that my chief employment since you have been in the East "has "been in visiting around different "countries to procure such letters "to be written".

Without questioning in any way your sincerity in believing that I inspired Mr. Studer's letter to the Department in which he attacked you, and without any knowledge whatever as to the grounds on which you base the two statements quoted above, and without intending to impute any intentional injustice on your part towards me, I wish to say distinctly, that both of the statements in question are

entirely

entirely devoid of truth. As to the first, I have no acquaintance whatever with Mr. Studer, never saw him, never wrote him a line, either official or private, never received a line from him, and never caused any other person to write to him either about you or anyone else.

As to the second, you have formed in no degree the subject of my correspondence, either official or private, either prior to or since your residence at Hongkong. I met you first in Hongkong, April 20th, 1879, when you spoke to me at some length of alleged irregularities in the conduct of the Consulate at that port while Mr. Bailey was in charge of it. The next day, I wrote, as you are aware, to Mr. Bailey, telling him, without expressing any opinion myself, what charges you were making. This I did in simple

justice

justice to him, and had the case been reversed would have done the same by you. With this solitary exception I have written no letters, either of earlier or later date, to any persons in which you have figured in any way. Much less is it true that my chief occupation during the past fourteen months has been visiting around different countries to procure letters to be written against you. If you knew anything of the work of this Legation you would know that I have no leisure for gratuitous labors of that sort.

I am perhaps not called upon to notice the phrase "renegade missionary" which, if you are correctly reported, you have applied to me. But it seems to me that you should have taken pains to be very sure of your ground before you allowed yourself to use an expression which, to say the least,

can

can hardly be considered as coming within the limits of courteous language. If you have any desire to know whether you were just to me, or the opposite, in using the adjective "renegade" - I would suggest that you can easily satisfy yourself by application to any members of the missionary body in North China most of whom have known me for a number of years. You will readily find their addresses in the "Hongkong Chronicle and Directory for China and Japan".

Yours very truly.

(signed) Chester Holcombe.

Ack

Wade

No. 670. Two Enclosures.

Legation of the United States.

Peking, April 29th, 1880.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Consul at Chefoo.

Synopsis.

Forwards a despatch which has been received from Prince Kung upon this subject, and Mr. Seward's response.

No. 670. Two Enclosures.

Legation of the United States.

Peking, April 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to hand to you a letter which I have received from the Chinese Foreign Office asking my attention to the fact that no Consulate of the United States has been established at the port of Wenchow, and my response, stating that but one American has been resident at the place and that our Government will take

1/670.

2/670.

take the necessary measures for the control of our people if they shall resort to it.

I have the honor to be,

Sir.

Your obedient servant.

Geo. F. Seward

Enclosures:

1. Prince Kung to Mr. Seward 28/1880. April 21st, 1880.
2. Mr. Seward in response. 30/1880. April 29th, 1880.

Despatch No. 670.
Enclosure 1.

28/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication,

Upon the 17th of March I received a communication from the acting Southern Superintendent of Foreign Trade, transmitting a report from the Wenchow Customs Intendant upon a communication from Mr. Mackey, acting Commissioner of Customs at Wenchow, which latter sets forth that at the treaty ports the several foreign Governments appoint Consuls with a view to render protection to their people, and in case of violations of law by them to inflict punishment. Since the opening of Wenchow to foreign trade persons of Belgian, American, French, German, Dutch, and Swedish nationalities

nationalities, six in all not
including British, have come to
Wenchow. But of resident Consul
Great Britain alone has one.
Of the other powers, although their
people have come to Wenchow,
there are no Consuls to control
them, Inasmuch as, in case
of complaints against them for
offences against the laws, the
local authorities cannot hear
and decide the cases, much
inconvenience is occasioned by
references here and there, and
this is a matter of great
concern to commercial interests.

Thus the Intendant to the
Acting Superintendent of Trade
who, in turn, submits the busines
for my consideration.

I beg leave to observe
that at the port of Wenchow,
merchants and people of your
nationality are resident, but you
have no Consul to control them.

This

This is productive of many inconveniences to trade and to international relations. It therefore becomes my duty to call Y. E.'s attention to the matter, to request you to consider what course you will adopt in the premises, and to favor me with an answer.

H. E. George F. Seward.
etc. etc. etc etc.

Peking. April 21st, 1880.

Despatch No. 670.
Enclosure 2.

30/1880.

Mr. Seward to Prince Kung.
April 29th, 1880.

Y. I. H.

I have had the honor to receive Y. I. H. letter of the 21st instant, calling my attention to a statement made by the Customs Intendant at Wenchow, that while persons of various nationalities are resident there only one Power has established a Consulate and saying that this is productive of many evils to trade and international relations.

I have to state in response that but one American has been resident recently at Wenchow and that this person is understood to be in the employ of the Imperial Customs.

Should my countrymen resort to the port hereafter my Government will doubtless make necessary arrangements for their control.

I

I seize the opportunity, &c.

(signed) George F. Seward.

Copies sent with approval July 6. 1880. Mr Cridler

Ack & approve C.P. made

No. 671. Two Enclosures.

Legation of the United States.

Peking, April 29th, 1880.

George F. Seward to

the Secretary of State.

Subject.

Attack upon Rev. Mr. Sites at Jenping fu.

Synopsis.

Mr. Hle Lano having furnished the Legation with copies of his correspondence with the local authorities, Mr. Seward has addressed Prince Kung at length in the case. Forwards copy of his letter to the Prince, for which he asks the approval of the Department.

No. 671. Two Enclosures.

Legation of the United States.

Peking, April 29th, 1880.

Honorable William M. Evarts.

Secretary of State

Sir:-

Referring to my several despatches to yourself in regard to Mr. Sites' case, I have now the honor to inform you that Mr. Lee Lan has sent to me copies of his correspondence with the local authorities in regard to the matter.

His representations to the authorities have been, with one or two exceptions, entirely discreet, and at the same time, of such sort as

to

to call their attention to the case in a forcible manner. The letters are so long that I am unable to transmit
1/6/71. copies of them to you and I have asked him to send them to the Department, if he has not already done so.

I have lost no time in addressing myself to Prince Kung in regard to the matter in order to point out various features of the business which I cannot but consider important. I
2/6/71. inclose to you herewith a copy of my letter. I am sending a copy to Hon. the Law for his information and guidance in the further conduct of the case.

I respectfully ask your approval

approval of my action as therein set forth.

I have the honor to be,

Sir.

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Min. Seward to Min. Hle Laos. No. 120. April 29th, 1880.
2. Min. Seward to Prince Kung 31/1880. April 29th, 1880.

Despatch No. 671.
Enclosure 1.

Mr. Seward to Mr. DeLano.
No. 120 April 29th, 1880.

Sir:

Recurring to your despatch No. 157. of March 15th, transmitting to me your correspondence with the local authorities at your port, in regard to Mr. Sites' case I have now the honor to hand to you for your information and guidance a copy of a note which I am addressing to Prince Kung calling his attention to various features of the case which deserve attention. I have no doubt that a copy of this note will be sent to the Viceroy and I trust that it will be of some effect in promoting a settlement of the affair. As the note and its inclosures which embrace copies of all your correspondence with the local authorities are lengthy and the note itself has yet to be translated and when

(forwarded

forwarded will have to go by Chinese post overland it may be sometime before they reach the Viceroy.

I am sending a copy of the note to the Secretary of State, and informing him that I have asked you to send to him a copy of your despatch and its several English inclosures.

I am, Sir, &c.,

(signed) George F. Seward.

Despatch No. 671.
Enclosure 2.

Mr. Seward to Prince Kung
No. 31/1880. Peking, April 30 1880.

Y. I. H.

I have the honor to inform Y. I. H. that I have received a despatch from Mr. De Lano, the Consul of the United States at Foochow, in regard to the attack made upon the Rev. Mr. Sites, an American, at Yenping, in the month of December last. It is dated the 15th of March and covers all the correspondence which has passed between the Consul on the one side, and the Chinese provincial authorities on the other in relation to the matter.

In order that Y. I. H. may be as perfectly informed as possible in regard to the case and in regard to the negotiations for a settlement of the matter I transmit to you inclosed [illegible]

and accurate copies in Chinese of the correspondence mentioned.

Some weeks since, Mr. Wolcott, the Secretary and Interpreter of this Legation, by my instructions spoke to the Ministers of the Yamen in regard to this case, representing that it was one which ought to be disposed of promptly, in accordance with justice, and that the people of Yen Ping and Kien Ning, whose hostility to foreigners or rather the hostility of factions of whom it is well known, should be made to feel that the Treaty rights of foreigners in those cities should be respected. The Ministers responded promptly that they understood the business, that they had already written to the Viceroy about it, and that they would again write urging such a disposition of the matter as would leave us no ground of complaint.

(Sd)

I am satisfied that it is the earnest desire of Your Imperial Highness and of the Ministers associated with you to do impartial justice in all matters and I address myself to Y. I. H. now not to raise any questions with you, but in order to set out to you certain features of the correspondence which, in my opinion, require careful consideration on your part.

It is merely necessary for me to add further by way of preface to the remarks which I have to make, that Y. I. H. is well aware of the conciliatory and considerate policy which our Legation has always pursued in dealing with the questions which have arisen between our people and yours, and that in particular the Minister now writing to you, during many years of intercourse,

has

has never urged you to take any action having such an the circumstances of the cases in question demanded. I have not sought to embarrass our relations but to make them agreable and easy, and to encourage confidence.

It is scarcely necessary for me to add either that the Legation has always been just in its appreciation of the difficulties arising from the labors of men of the missionary class. Successive Ministers have believed as I believe that the missionaries are engaged in a work which is in no way hostile to your Government, or to the system of morals to which you are attached. Much of their labor indeed is of a purely benevolent kind, such as the relief of the poor and the sick and was illustrated in a marked

way by their efforts during the deplorable distress of late years in this and neighboring provinces. Many of them are resident in this Capital and Y. I. H. and the Ministers well know from personal observation that they are full of respect for your Government and your institutions, desirous of avoiding controversies, and devoted to good works.

I am sure that in view of such circumstances Y. I. H. will not consider the fact that I am obliged to call your attention to the given case in the remarks which I have to offer in any other than an appreciative spirit. I could not ask or desire more for my countrymen than that they should be treated everywhere throughout the Empire with as much friendliness and respect as they are treated in your Capital. Their treatment here indicates, in fact,

that

that wherever the influence of the Government is properly felt, the result will be satisfactory.

In referring you to the correspondence from Foochow I ought to point out to you in the first instance that there appears to exist in that province, at the moment, a special degree of hostility to foreigners.

In this connection I desire to call H. B. M's attention to the despatch addressed by Mr. Consul De Lano to the Viceroy on the 6th of January last, which forms the ninth paper in the series herewith. As this paper is communicated to you it is not necessary for me to review its contents. It is reasonable and appropriate for me to say regarding it, however, that the Consul's statements bear on their face evidence of their

accuracy.

accuracy, and that this particular difficulty serves to illustrate their correctness. It is much to be feared in view of the facts set forth that the officials of the province have not taken the business earnestly in hand, and that the hostility so prevalent has in some respects been occasioned by their own impolitic measures and by their disposition to swim with the current of prejudice and unfriendliness rather than to [illegible]

The evidence on this point contained in the despatches of your own officials is even more pertinent and forcible than that of Mr. De Lano. I call H. B. M.'s attention 1st To the declaration of the Intendant at Foochow. Yeh, Vafen in his despatch of Oct. 23. Inclosure I that the house occupied by the Missionaries at Yen Ping was [illegible]

used for the sale of books but not as a chapel.

It may be asked at once why such a distinction is drawn. The XXIX article of the Treaty of Tientsin provides that "any person who peaceably teaches and practices the principles of Christianity shall in no case be interfered with or molested". It would seem, however, that at Yen Ping the teaching of the Christian system is objected to and that the Intendant at Foochow who should understand the treaties endorses the hostility there exhibited.

It is true that the Intendant says that the Missionaries had agreed not to use the house at Yen Ping as a chapel, It appears that he had heard that there was a written declaration to this effect, but as it was not produced and the missionaries deny the allegation

allegation it may be dismissed.
But it is nevertheless pertinent
to ask why such a declaration
should have been asked for or alleged.
This is in itself an evidence of
hostility.

2nd The Intendant in his despatch
of December 18th, Inclosure 3. Quotes
the report of the Yen Ping Prefect
and the Yang Ping District
Magistrate to the effect that
"Mr. Sites reached Yen Ping on
"the 28th of the 10th month, that
"he went about selling books and
"that the people became excited
"in consequence and were ready to
"drive him out."

It would appear from
this that the people at Yen Ping
or rather factions of them objected
even to the selling of books in
their city, but it may be
surmised that in the given instance
their hostility was not so much
directed against the books which

they need not buy and need not read, which they could burn up or throw into the ditches, as against the fact that a foreigner was traversing their streets.

3rd The same report sets forth further that when the missionary distributed "Sabbath sheets" "desiring to hold worship the people "became greatly excited, posted "placards everywhere, and ran together "to the book store to stop the worship "and raise a disturbance."

It will be noticed here that the people are said to have become excited not because of any unlawful act of the missionary, but simply because he was about to do, or is said to have been about to do what he had a perfect right to do, and what is done by foreigners generally on each Sabbath day, that is to say hold a service in accordance with their faith.

It

It will be noticed again that the people proceed in an unlawful way. If the missionary was about to do an unlawful thing, their business was to report the fact to the officials and not to take the law into their own hands.

It will be noticed further that their intention was not only to stop the missionary but to "raise a disturbance", and that they went about their work as your people frequently do when they contemplate resistance to authority and riotous action.

I beg leave here to call the attention of G. J. H. and of the Ministers to the placards which they posted, the contents of which I communicated to G. J. H. in my letter of January 19th last.

The population of this city "will not allow foreigners to enter "its limits, and if they come within it

"it they are to be thrust out. At
"the present moment a foreigner
"is living at the Little Water Gate
"and it is determined that the
"populace shall assemble on the
"second at the Little Water Gate,
"and beat and seize the foreigner
"and his servants, beat them,
"stop up their mouths with filth,
"and cast them out of the city,
"under no circumstances permitting
"them to open a Chapel, and to preach
"heterodoxy."

H. I. M. will not hesitate to assent in view of what precedes, to the accuracy of Mr. de Lano's statement that a hostile feeling towards foreigners is exhibited in the province of Foukien, and that the subject demands careful attention on the part of the provincial officials in order to avoid the danger of further and even more serious disturbances.

The

The next point to which I desire to call the attention of Y. C. H. is the actual conduct of the Yen-Ping people having reference to the assault made upon Mr. Sites.

I have already sent to Y. C. H. (with my despatch of January 19th) the plainly written statement of the missionary. It is consistent from beginning to end, and bears upon its face the evidence of its truthfulness. That part of it which deals with the events preceding the assault is more or less perfectly sustained and confirmed by the reports of your own officials and it will be found upon examination that the same reports to a considerable extent sustain and confirm its declarations as to the assault.

I call your attention in this connection

1st To the statement that the assault upon Mr. Sites was

(more

made <u>in the open street</u>, contained in the letter of Yeh Tajen of Dec. 18th. Quoting from the report of the Yen Ping Prefect Ting and the Nang Ping District Magistrate, he says "The people assembled "in increasing numbers until they "numbered a few hundreds. They ran "along to a place on the Luk Tauk "ridge, just then the missionary "desiring to go to the Magistrate's "Yamen met the crowd of people. "The Luk Tauk ridge road is very "narrow and there are many stones "in it. The missionary being "crowded by the people fell to the "ground and the eyelid of his left "eye was wounded by the stones."

You will see that this statement confirms what Mr. Sites has declared that he was walking in a public street when the assault was made upon him, and that he did nothing

whatever

whatever, at the moment at least, to provoke an assault. If he was walking in the public street and desiring to go to the Magistrates Yamen why should he have been interfered with! If the people had any complaint to make what more could they desire than to go with him to the Yamen?

But Mr. Sites statement of the extent of his injuries and their cause is essentially different from that contained in the report of the District Magistrates. "

I call your attention to what he says in this connection, in his declaration which I sent to you on the 16th January.

" I had only time to observe
" the crowd when I was seen and
" set upon with hoots and yells, I
" turned and ran with the hope of
" reaching the Yamen, which was
" less than half a mile distant "

" but I was soon struck with stones
" and heavy missiles and so hotly
" pursued that I rushed into a
" house intending to call upon the
" inmates to protect me, but
" unfortunately though the outside
" walls presented a substantial
" appearance, the house inside
" was open and dilapidated and
" if it was inhabited the inhabitants
" had fled. The rabble broke in on
" all sides and here I was assailed
" in a most brutal manner, and
" besides sundry blows on back and
" head, I received a heavy blow on
" the right side of my face across
" my eye and brows which for a
" moment quite stunned me, but
" recovering myself I opened my
" eyes to find that a very fiend
" was making a thrust at my eye
" with a two pronged wooden fork,
" and I that instant received the
" blow cutting a cruel gash under
" each of my eyes. I thought as the

Ellen

"blood gushed from my face that
"my eyes were indeed pierced, I
"hesitated a moment and then
"with a glimmer of sight rushed
"out of the house and through the
"crowd until I was completely
"surrounded, lifted off my feet
"by the furious mob and thrown
"violently upon my face on the
"stone pavement, my boots were
"then taken off and my feet
"bound with rope. They then
"demanded my hands which
"were firmly clasped beneath
"my breast. I resisted, but was
"forced to yield. I was kicked on
"the head and my forehead knocked
"upon the stones with such force
"as to cause a frightful bruise."

I shall not stop to enquire here whether the statement of the two Magistrates that Mr. Sites was hurt by falling upon the stones, implying that no violence

violence or but little was shown
him is true, or whether Mr. Sites
own statement is the true one. It
will be Mr. Sites' part to prove
before the Foochow officials when
a hearing is given him exactly
what his injuries were. But
it is impossible not to feel that
the conduct which he attributes
to the rioters assembled at
YenPing is consistent with the
declarations contained in their
placard already quoted and with
the declarations of the two Magistrates
that the people were intent upon
making a disturbance.

I may however call
attention to Mr. Bel's statement
in regard to Mr. Sites injuries.
In a despatch addressed to me
under date of Dec. 27th (the riot
occurred on the 14th), he says "Mr.
"Sites injuries are of a serious
"nature. Both of his eyes are

(over)

"very much injured, and his physician,
"Dr. Osgood, fears that the sight of
"one of them is destroyed. He received
"other serious bodily injuries and
"is still confined to his room and
"bed".

Now Mr. De Lano is not likely to be mistaken in what he says, and whether he is so or not can be inquired into. And if he is right and if Mr. Sites' statement is borne out by the physical evidences of his condition when he returned from Yen Ping, what shall we say about the story told by the Yen Ping Prefect and the Han Ping District Magistrate.

I come now to an incident of the affair to which much prominence has been given by the Footien officials and which deserves more than passing notice, I allude to the provocation which it is alleged Mr. Sites gave and which brought

(Enter

"down upon him the displeasure
of the people.

In the letter addressed to
Mr. de Lano by the Intendant
at Foochow dated Dec. 18th, the
two Yen Ping Magistrates are
reported as stating that "on the
"2nd instant at 12 o'clock Mr. Sites
"conducted a bible service in the
"book store. The neighboring
"children heard the sound and
"wondering and doubting went
"to see (what it was). The missionary
"with a loud voice scolded (reviled)
"them, and fired off a foreign gun.
"Just then a King Hwa man named
"Ting Koi passing by received the
"bullet from the gun in his shoulder.
"The people hearing this greatly feared
"and went to the District Magistrate
"to inform him of the matter."

It is to be said in regard to
this statement.

1st That it would have been
very remarkable indeed for Mr.
Sites

sites to behave in such manner. He knew very well that hostile feeling was prevalent and that placards calling for a riotous demonstration had been posted about the city. It was a place where ill-feeling and disturbances had been the rule and not the exception. And yet we are called upon to believe that he not only reviled a few inquisitive boys but that he discharged a firearm against them. Thus not only committing a grave crime, but putting his life in imminent jeopardy. It is a story so incredible that one can only wonder that anyone has been expected to believe it.

2nd That the story is not sustained by the course of events since the 14th of December.

When Y. S. H. sent to me in January last a despatch conveying to me the statement thus made and which had been

sent

sent up to you by the Viceroy. I asked you at once for the declarations of witnesses, but none were sent to me, and I am led to believe that none were presented to you. How can we believe that if a case of such gravity had really occurred a cloud of witnesses would not have been forthcoming or that the Magistrates of Yen Ping would have failed to present to you abundant evidence of all the facts.

3rd That the wounded man has not been produced.

In the despatch addressed by Mr. de Lano to the Governor General on the 3rd of January, inclosure 8, I find that referring to this charge against Mr. Sites he wrote:—

"Your Excellency will readily "perceive that it will not be possible "to convict Mr. Sites of such an offence "upon the ex parte statements of "the Yen Ping officials, and that the

"the proper witnesses to be brought
"forward would be the man who is
"said to have received the wound
"and the persons who were in the
"chapel when the shot is alleged
"to have been fired. As it is
"important that no delays shall
"be permitted I beg that Your
"Excellency will cause the man
"Ting Koi to be brought at once to
"Foochow to give evidence, so that
"the case can be examined into
"soon as Mr. Sites shall have
"sufficiently recovered from his injuries
"to appear in Court."

Now it was on the 14th of December that the riot at Yenping occurred, and it was on the 3rd of January that the Consul wrote as above to the Viceroy. What he wrote was entirely clear and reasonable. It was assented to as such by the Viceroy in his response. Yet down to the 15th day of March the man

said

to have been wounded, [illegible]
appeared, neither had any
inquiries against Mr. Sites been
reduced.

From this the recklessness of the
allegation becomes apparent. Can
Y. I. N. suppose for a moment that
the people of Yen Ping, who stand
accused of a cruel and unprovoked
attack upon Mr. Sites, would have
failed for three months to send
forward evidence of their allegation
that they were grossly provoked
by him, if such was the fact?
Can Y. I. N. believe that the Yen-
Ping officials, who stand accused
of lack of efficiency in protecting
Mr. Sites, would neglect equally
to show by proof that the circumstances
were such as to excuse them? Three
months had elapsed before the
Consul's despatch to me was written
and the wounded man was not
forthcoming. The clear inference is
that no man was wounded and
that

that the whole story is a pure invention devised by no one knows whom, and adopted by the Yen-Ping Prefect and the Nang Ping Magistrate in order to justify an attack upon my countryman which was unprovoked by him. It would not do to say that his offense was selling books, or preaching. The Magistrates know as well as Y. S. F. that those are not offenses. But the wounding of a man would be an offense and this they could put forward, forgetful that before an application for the rendition of the wounded man the whole fabrication would fall to pieces. What are we to think of officials who would countenance and disseminate a false accusation like this. Yet this appears to be what may be reasonably charged against the Yen Ping Prefect and the Nang Ping District Magistrate.

To

To what I have thus placed before H. E. H. I shall add only a few words. These have relation to the course pursued by the Viceroy.

That high officer throughout this business has written to Mr. DeLano in terms which indicate that he appreciates the importance of the matter and is earnestly desirous of doing justice. In his letter of February 2., which forms No. 14 of the series now sent to you, he says that "he is animated by "the lofty moral purpose of the "Court to cherish tenderly those "from afar and has ever upon "his mind their protection."

I find however some matters connected with the Viceroy's management of this case which call for notice.

1st The anxiety which he shows [illegible] the property of the Missionaries [illegible] Ping.

The Viceroy wants to know, as

as he writes at the close of his despatch of January 12th. Inclosure 11. "whether the lease of the house "at Yen Ping rented to the Methodist Episcopal "Mission bears clearly the words "it "it allowed to be used as a chapel." "

It appears to me that this is not a question about which the Viceroy has occasion to concern himself. Is it or is it not lawful for American missionaries to teach the Christian religion? If it is why ask the question whether a given house can be used by them in such way?

The same point is raised again in the Viceroy's despatch of February 2nd, and —

2nd A question is raised by him about the redemption of the property leased by the Missionaries.

I cannot do less than connect what is here said with the closing declaration of the placard posted at Yen Ping. the main part of

of which I have already quoted to
Y. I. H. the last paragraph it as
follows.

"The people will contribute
"the necessary funds to Tseng
"that he may repurchase his
"buildings".

Y. I. H. will not doubt
that we are desirous of observing
a rigidly right course in passing
upon any question as to the title
of any property held by the
missionaries, and if such question
shall be raised at Foochow I ask
Y. I. H. to remember that the
missionaries are now in possession
of the given property and can
only be dispossessed by their
own authorities. If necessary
I shall hereafter discuss this
part of the business with Y. I. H.

3rd The failure of the viceroy
to cause the arrest of the rioters
and their rendition at Foochow,
for trial.

Su

In his despatch of the 21st of January, Inclosure 18. the Viceroy says "I. President of the Board "have at different times already "sent despatches to the Board of "Trade for them in turn to direct "the officials concerned holding "their own seals, or deputed, "immediately to discover and arrest "the principals in the disturbance "together with the important "witnesses and Ting Kai, wounded "by a firearm, to be altogether "delivered up at the provincial "capital that they may be "confronted and examined in "the hope that the case may be "decided equitably and by a "decision which will be submitted."

Now this letter was written on the 21st of January. More than a month had elapsed after the riot and Mr. Medano had already made repeated applications for the arrest of the rioters. It contained

a clear Declaration that they would be arrested and brought to the provincial capital for trial. But down to the 15th of March not a man had been produced, nor even the alleged wounded man.

It is not too much to say that it is evident from this either that the Viceroy is allowing himself to be trifled with by the Yentai people and his own subordinate officials, or that he is trifling with us.

4th The failure of the Viceroy to issue a proclamation instructing the people, etc.

Such a proclamation was asked for by Mr. De Lano in his despatch of January 16th, and the Viceroy in his despatch of January 21st, promised to issue it. By making the promise he indicated that the request was a reasonable one and justified by the circumstances

just

post before him by Mr. Bekaro.
Yet down to the 15th March,
it would seem, that no
proclamation had been put out.

Having placed the facts and
considerations thus set forth
before Y. E. N. I leave the matter
as it is becoming I should do, in
the hands of your Government
repeating only the points upon which
we believe ourselves entitled to
address ourselves to you, as follow :—
1st That Mr. Sites assailants
should be arrested and brought
to trial.
2nd That the proof of his
having wounded a man with a
firearm should be produced or
the charge formally withdrawn.
3rd That the conduct of the
Yen Ping Prefect and Nan Ping
magistrate should be scrutinized,
with a view to determine whether

(Over)

they used reasonable efforts to prevent the riot and whether they have made false reports about it.

4th That steps be taken to disabuse the minds of the people of Foochow of false ideas regarding foreigners, and

5th, That steps be taken to secure to foreigners the enjoyment of their treaty rights in Kienning and Yenping.

I have the honor to be,

Sir,

Your obedient servant

(signed) George P. Seward.

Ack

Made

No. 672. One Enclosure.

Legation of the United States.

Peking, May 1st, 1880.

George F. Seward to

the Secretary of State.

Subject.

Conference of April 20th.

Synopsis.

Mr. Seward forwards an official minute of the proceedings of the conference referred to.

1880

No. 672. One Enclosure.

Legation of the United States.

Peking, May 1st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I had the honor to inform you in my despatch, number 665., that a conference of foreign Representatives at this Capital was held on the 20th. of last month, at which conclusions, stated by me in that despatch, were arrived at. I am now in possession of an official minute of the proceedings at the conference, and transmit to you, herewith, a

No. 672.

copy.

copy.

I have the honor to be,
Sir,
Your obedient servant.
Geo. T. Seward.

Enclosure.

1. Official minute of the proceedings of conference held April 20th, 1880.

Despatch No. 672.
Enclosure.

Memorandum of a statement to be made to the Ministers of the Tsungli Yamên at a Conference to be held this day.

Peking, 20th April 1880.

The Ministers of the Tsungli Yamên are to be told that in the opinion of the Representatives of the Treaty Powers the grievances of their merchants, simply stated, are reducible to two categories: one, the taxation of foreign imports and of native produce foreign owned, at the ports or on their passage through the interior; the other, the uncertainty affecting the value of money, whether in trade or the payment of duties, consequent upon the non-existence of such a standard as is supplied by a Mint or other similar institution.

The question of taxation has dependent upon it various other questions, which, however, may be regarded as its subordinate parts.

The Tsungli Yamên in reply to a Collective Note addressed it by the Representatives assembled in Conference at Peking last autumn,

has

has suggested adoption by foreign governments of one of three courses; either that the present Treaties should be adhered to; or that the Convention negotiated in 1868 - 1869 by Sir Rutherford Alcock should be accepted; or that extraterritoriality should be surrendered, in which case the positions of the native and foreign merchant in the matter of trade would become identical.

The Representatives here present are satisfied, without giving reasons for their conviction, that the last question would not for a moment be considered by their Governments. It would be therefore vain to discuss it.

The Convention of 1868 - 1869 contains provisions that some Treaty Powers, if not all, would as before decline to assent to. There is at the same time much in that Convention that is deserving of consideration.

The proposition that the existent Treaties should be adhered to, inasmuch as it precisely agrees with the prayer of the foreign mercantile community, is that which the Representatives would be most willing to entertain. Unfortunately, the provisions of the Treaties, as affecting Trade, are

differently

differently read by the Tsungli Yamên and the Representatives of the Treaty Powers.

This is shewn by the Yamên's Reply to the Collective Note of the 10th of November, in which the grievances of the mercantile community are set forth.

The Representatives now waiting on Their Excellencies would of course be perfectly ready to discuss these grievances in detail, and to give their reasons for the allegations arrayed in their Note. They have no desire, however, to come forward in a hostile or acrimonious spirit. They would prefer, if possible, to secure a friendly termination of the discussion now so many years open, and to this end they invite the Ministers of the Tsungli Yamên to meet them in the same spirit.

As to the ulterior course to be pursued, they will be guided by the reply of the Ministers.

Ack

made

No. 673. Two Enclosures.

Legation of the United States.

Peking, China, May 1st, 1880.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

George F. Seward to

the Secretary of State.

PRINTED.
FOREIGN RELATIONS.
1880

Subject

Outward Transit Pass Rules.

Synopsis.

Mr. Seward forwards a memorandum prepared by the German Minister with a code of rules proposed.

No. 673. Two Enclosures.

Legation of the United States.

Peking, May 14th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Referring to my despatch number 660, in which I stated that Mr. von Brandt had been charged by the Diplomatic Body with the duty of preparing a scheme for the control of Transit Trade outwards, I have now the honor to hand to you, herewith, a copy of his memorandum, and of the Transit Pass (outward) rules proposed by him, and revised by

1/673

2/673.

by the foreign Representatives in conference.

Mr. von Brandt is to place this scheme before the Tsung li Yamen on the part of the Diplomatic Body.

I have the honor to be,

Sir,

Your obedient servant

Geo. F. Seward.

Enclosures.

1. Memorandum by Mr. von Brandt

2. Proposed Transit Rules. (outward.)

Despatch No. 673.
Enclosure 1.

Transit Trade Outwards.

The Chinese Government has repeatedly proposed measures to obviate the abuses which according to their statements were occurring in the transport of foreign owned native produce from the interior to an open port for exportation.

These proposals not having been entertained by the Treaty Powers the Chinese Government has of late proceeded to introduce restrictive measures altering the treaty stipulations, without seeking or obtaining the consent of the Treaty Powers, by refusing, in the first instance, to issue transit passes for produce under the treaty regulations and thereby attempting to force, and, in some of the open ports forcing the foreign merchant to submit to rules contrary to treaty and devoid of the approval of his own authorities.

Such rules were introduced at Chinkiang in 1877, and since then at Wuhu; another set in 1878 at Pakhoi and Kiukiang. and an attempt was made in 1879 to introduce the Chinkiang rules at Shanghai.

All these rules, taken as a whole, are highly objectionable, not only on account of the way in which they were put in force, ignoring the rights of the Treaty Powers, but especially because, not satisfied with remedying

such

such abuses as the Chinese Government may perhaps rightly complain of, they are evidently aimed at removing the Cognizance of and decision in cases of fines and confiscations from the authorities in which they are vested by treaty and placing them under the exclusive jurisdiction of the Chinese authorities.

A comparison between the different sets of rules will further prove the existence of a desire on the part of those who framed them, of placing unnecessary restrictions on the transport of produce from the interior, even leaving the question of treaty rights aside.

Rules in force at Wuhu and Chinkiang since 1877.	Rules in force at Pakhoi and Hoihow since 1878.
In both sets of rules the principal condition under which alone transit passes are issued, is the signing of a bond by the merchant, in which he declares his adherence to the Regulations. At Chinkiang this bond is to be signed by the merchant alone, at Pakhoi with or without securities at the option of the Customs authorities. At the same time a lien is to be given upon the produce.	
Penalty for non fulfilment of the Clauses.	
Six times the export duty payable	Ten to twenty times the export duty payable.

Chinkiang cont^{d}.	Pakhoi cont^{d}.
Time within which the transit pass is to be used.	
1st draft: one year 2nd do. five months	Kiungchow, three months. Pakhoi, five months.
Time within which produce purchased under transit pass must reach the last barrier.	
Five months	Kiungchow, three months. Pakhoi, five months.
Time within which produce has to be exported.	
Five months	Three months.
Time within which produce has to be exported when transhipped to another port.	
Twelve months	Not mentioned.
Payment to be made in case of non-exportation of produce damaged in port.	
Twice and a half the diminished export duty.	Payment of duty and like charges at the barrier stations it has passed.
Transit passes available for:	
All produce.	at Kiungchow, for sugars only. at Pakhoi: for sugars and cassia only.
Enforcement of penalties.	
While payment is being enforced by the Consul	So long as such penalties remain unpaid no new

according to law, no new transit passes to be issued and all passes already taken to be cancelled.

transit passes to be issued and all passes already taken to be cancelled.

The last rule is especially significant. While in the rules issued in 1877 the Consul is at least to be applied to to enforce the payment of the bond, he is quietly but completely set aside in those of 1878, the Chinese authorities trusting to their refusal of granting new transit passes to enforce obedience to their regulations.

It will be seen from the above how very desirable it is to put an end to the arbitrary proceedings of the Chinese authorities and to have the rules now in force at some ports so remodelled as to suit the convenience of trade and the stipulations of the treaties, while at the same time protecting the fiscal interests of the Chinese Government.

The necessity of doing this without delay suggests the idea of proposing to the Chinese Government the adoption of a temporary set of rules to be in force on trial while the negociations on the question of inland taxation continue, such rules being based as much as possible on the rules in force at Chinkiang and comprising those questions of Coast trade duty to be levied on produce duty free carried coastwise and of goods bought or manufactured in the open ports.

His Colleagues having in principle agreed to such a proposal Mr. von Brandt has the honour to submit to them enclosed a set of rules drawn up in accordance with the above mentioned views.

Peking 22nd April 1880.

Despatch No. 673.
Enclosure 2.

Provisional Rules.

I.

For the
issue and surrender of transit passes and

Rule I.

All outward Transit Passes which have been issued before the _____ 1880 and which shall not have been availed of for the purchase of produce and exchanged for a Transit Certificate before the 31st day of December 1880, will be forthwith cancelled by the Superintendent of Customs; and the corresponding Transit Certificates recalled; and all goods which the holders of such cancelled Passes may attempt to bring down under them will be confiscated.

Similarly:— all Transit Passes issued subsequently to the _____ 1880 and not used within one year from the date of issue will be cancelled at the expiration of such year.

Rule II.

Henceforward all Transit Passes which may not have been availed of for the purchase of produce within one year from the date of issue will be forthwith cancelled by the Superintendent of Customs, and the corresponding

Transit

Transit Certificate recalled; and all the goods which the holders of such Cancelled Passes may attempt to bring down under them will be confiscated.

In any case of loss of a Transit Pass by theft or otherwise, the merchant to whom it was issued must report the loss at once to the Customs of the Port, that the Pass may be cancelled and the corresponding Transit Certificate recalled. In case of unlawful use of such cancelled Transit Pass after its loss has been reported, the original holder shall not be held responsible.

Rule VI.

Produce for shipped under Transit Pass must arrive at the barrier nearest the Port within four months (one year for Tea & Silk) from the date of the exchange of the Transit Pass for a Transit Certificate; in default of so doing the goods will be liable to Confiscation

Should, however, produce be detained "en route" either by the action of barrier or other officials, by "force majeure", or by unforeseen accident, such as floods, rebels or the like and be unable in Consequence to arrive within the time allowed, the circumstance of such detention must be reported at once to the authorities on the spot and to the Superintendent of Customs at the Port, who will grant such an extension of time as the circumstances of the case may require. The goods, meanwhile, will not be liable to Confiscation, unless they fail

fail to arrive at the Port within the contented time allowed.

Rule IV.

On the arrival of the produce at the barrier nearest the Port, an application giving the full particulars of the packages and their contents must be sent in to the Commissioner of Customs, who will issue a permit to allow the goods declared to pass the barrier. The produce on arriving at the port must be brought direct to the Customs jetty for examination and payment of Transit Duties, which being done, the goods may be stored in the merchant's godown.

Any merchant failing to comply with this rule, the goods will be liable to confiscation.

Rule V.

Produce brought from the interior under Transit Pass must be exported to a foreign Port, or to another Treaty Port for reshipment to a foreign Port, within five months from the date of its arrival at the Port, except goods for the northern Ports, for which the Customs authorities will grant the necessary extension of time. If the produce be not exported within the said period, the merchant shall pay to the Customs a sum equal to two and a half times the export duty and be released from the obligation to export.

When the produce is shipped to another Treaty Port for subsequent reshipment to a foreign Country, the merchant must produce a

Certificate

certificate from the Customs at the other Port to the effect that the goods have been shipped to a foreign Country within twelve months of their arrival in that port; or, in default, in addition to forfeiting the half duty deposited, he shall pay to the Customs a sum equal to an additional export duty, and be released from the obligation to export.

Rule VI.

A merchant desiring to repack, prior to shipment the native produce which he has brought down under Transit Pass, must first make application to the Customs, who having verified the identity of the goods, will issue a "Permit to Repack" and will depute an officer to repair to the godown, and superintend the repacking.

Any unauthorised repacking of goods, or wilful alteration of their condition by the substitution or addition of other goods will render them liable to confiscation.

Rule VII.

In cases of alleged damage and deterioration in intrinsic value, sustained by goods while at the Port, the Customs, on the application of the merchant, will depute an officer to examine the goods and appraise the actual amount of damage sustained. A deduction in the amount of export duty payable will be made in proportion to the ascertained damage; and should the merchant desire to

be

be released from his obligations to export such damaged goods, his obligation will be cancelled on his paying to the Customs a sum equal to two and a half times the diminished export duty.

Rule VIII

Should a merchant be about to give up his business and leave the Port, he may return through his Consul for immediate cancellation all Transit Passes which have been taken out by him and not yet used. Should there be at the time of his closing business any goods which have been already bought in the interior under Transit Pass or Passes taken out by him, but which have not yet arrived at the Port; or which are awaiting shipment to a foreign country, at this or another Treaty Port, the person to whom such goods or the disposition thereof may be transferred will be held responsible for the observance of these rules.

Rule IX

In the event of its becoming necessary under these Passes to recover from a merchant a fine, the Chinese Customs authorities shall be at liberty either to seize the goods or to exact a bond for the amount claimed. In case the goods are of a perishable nature a bond shall always be taken.

In all cases of fine or confiscation arising under these Rules, the same procedure will be

be followed, which is laid down in the rules for joint investigation in Cases of Confiscation and fine by the Customs authorities of 1868.

If a fine awarded remains unpaid no new transit passes will be issued to the Merchant and all passes already taken out by him may be cancelled by the Superintendent and the corresponding Transit Certificates recalled.

II.

For the shipment Coastwise of duty free native produce.

Rule.

Duty free native produce carried Coastwise pays no export duty at the port of shipment; and, at the port of entry, Coast trade duty, the amount of which is declared to be 3½ per Cent ad valorem.

III.

For the exportation of goods bought or manufactured in the port.

Rule I.

Produce bought at the port pays on exportation no other duty than the export duty.

No bought at the port all produce is to be considered not brought by a foreigner under transit pass from the interior.

Rule II.

Rule II.

Goods manufactured at the port, from native produce brought from the interior under transit passes or otherwise, shall pay no other duty on exportation than the export duty.

To be amended if necessary by the following additions: plus the difference, if any, between the transit duty paid on the raw material and the transit duty which would have had to be paid had the produce been brought from the interior in its manufactured form.

All the Rules under heads I. III. to be provisional ones and to remain in force until the 31st of December 1881. Should however, no objections be raised against them they may remain in force from year to year unless having been denounced by one of the contracting parties before the 1st of July of the preceding year.

Ack Wade

No. 674. One Enclosure.

Legation of the United States
Peking, May 1st, 1880.

George F. Seward to
the Secretary of State.

Subject.

Chinese emigration.

Synopsis.

Mr. Seward forwards a statement received from Mr. Mosby of the number of Chinese who left Hongkong for the United States in the 4th quarter of 1879, and the 1st quarter of 1880.

No. 674. One Enclosure.

Legation of the United States.

Peking, May 14th, 1880.

Honorable William M. Evarts,

Secretary of State

Sir:-

I have the honor to hand to you, herewith, a copy of Mr. Holcombe's letter, number 79. of the 12th ultimo, reporting the number of Chinese emigrants who departed from Hongkong for the United States during the 4th quarter of 1879, and the 1st quarter of the current year.

I have the honor to be,

Sir,

Your

Your obedient servant.

Geo. F. Seward.

Enclosure.

1. Mr. Crosby to Hon. Seward

No. 79. April 12th, 1880.

Despatch No. 674.
Inclosure.

Mr. Mosby to Mr. Seward.
April 12th, 1880.

Sir:—

In compliance with the request contained in your favor of the 14th ultimo, I have to inform you that during the 4th quarter of 1879. seven hundred and forty Chinese emigrants went from this port to the United States. Of this number six were women. During the first quarter 1880. there were eight hundred and forty six male and twelve female emigrants.

I have the honor to be,
Sir,
Your obedient servant
(signed) J. S. Mosby.

P. S.

Four hundred and fifty eight males and one female went in the "Sadie" on the 7th instant.

Rec'd June 19. 1880.
A.A.G.

Instruction to Consul Denny June 19. 1880 Mr Woodbull

Send Mr. Denny attention to this C. P. Wade

No. 675.

Legation of the United States.

Peking, May 1st, 1880.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

"Forest Belle" investigation expenses.

Synopsis.

No vouchers have been received from Mr. Henny. Unless further instructed Mr. Seward will not feel at liberty to pay Mr. Henny anything upon this account after the close of the current fiscal year.

No. 675.

Legation of the United States.

Peking, May 1st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to your instruction number 326, and to my despatch number 597, in regard to Lieut. Henry's expenses while conducting the "Forest Belle" inquiry, I have the honor to state that although I transmitted to him a copy of your instruction showing that I am authorized to pay him for such expenses as he may provide vouchers for, he has not made

any

any response further than to acknowledge the receipt of my letter.

I presume that it was your intention that this business should be closed at once, and that there may be difficulty in meeting the account if it shall be presented after the end of the current fiscal year. Unless otherwise instructed by you, I shall not feel at liberty to make any payments to Mr. Fleming after that date.

I have the honor to be,

Sir,

Your obedient servant

Geo. T. Ewbank

Wade

No. 676.

Legation of the United States.

Peking, May 3rd, 1880.

DEPARTMENT OF STATE
JUN 14 1880
RECEIVED

George F. Seward to

the Secretary of State.

Subject.

Trade returns.

Synopsis.

Forwards under separate cover two copies of the first part of the Returns of Trade for 1879.

No. 676.

Legation of the United States.

Peking, May 3rd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, under separate cover, two copies of "Returns of Trade at the "Treaty Ports for the year 1879.—Part I "Abstract of Trade and Customs Revenue "Statistics, from 1867. to 1879." as issued by the order of the Inspector General of Customs.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

— China —

Made

DEPARTMENT OF STATE
MAY
4
1880
RECEIVED.

Washington May 4. 1880

Hon Wm M Evarts
Secretary of State

Your communication
of this date (May 3) enclosing
Commission of Office as
Commissioner to China
together with the usual
Official oath is received
and I beg leave to return
the ~~oath~~ Office
duly taken and subscribed
by myself and accept
said Office. In accordance
with the usual Custom I
respectfully inform you
that I was born in the
State of Missouri

I am very respectfully
your obedient Servant

John F. Swift

Trade

— China —

Washington
May 4. 1880

Hon
Wm. M. Evarts
Secretary of State

Sir

I have the honour to acknowledge the receipt of your letter of 3. May enclosing Commission and oath of office.

I beg herewith to return the latter duly executed and to add that I was born in Charleston, South Carolina

Respectfully

Wm Henry Trescot

Ans

Jill

4th May. 1860

Dear Mr Brown

I dont want to bother either you or Mr Evans about c^{s}.

I think Mr E's idea that the £1000 allowed for expenses by the appropriation should cover all my expenses in preparing to go and the cost of the Journey to Chemin is correct. But in taking my seat I am doing really what I believe necessary. I do not see how I can get along without some clerical aid and I do not care that my papers should be in any but confidential hands.

I do not ask for any salary for him but think I can fairly ask that his expen

~~the~~ funy and returning
thence be allowed indepen
dant of my own.

I think that Mr
Estimate which he sent
to the Committee, calculated
the ~~expense~~ expense of the
funy for each individual
at $750 which I think will
about cover it.

The expense of
the return will of course
not arise until the time
of return and I shall not
expect any thereon allowance
for his residence there as he
will live with me.

There may be
some small addition if we are
as I think we will be detained
at Yokohoma for a fortnight but
that will be small.

Yours

Jno. Henry Prescot

Ask

made

No. 677. One Enclosure.

Legation of the United States.

Peking, May 4th, 1880.

DEPARTMENT OF STATE
JUN 30 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Woosung Bar.

Synopsis.

Covers a report of a public meeting at Shanghai, at which the proposal to levy a tax of one per cent upon exports and imports, the outcome to be devoted to dredging the bar, was approved. Doubt whether the Chinese will assent readily to the scheme.

No. 677. One Enclosure.

Legation of the United States

Peking, May 4th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to my several despatches regarding a proposal advanced by the Shanghai Chamber of Commerce for the improvement of the bar in the Whang-poo River at Woosung below Shanghai, the funds to be secured by a levy of a temporary duty of one per cent. on imports and exports, I have now the honor to hand to you the report of a public meeting held at Shanghai, by 1/677

by which the proposal was considered and endorsed.

I have not yet received any reports from the Consulate General, either in regard to this meeting or the previous meeting of Consuls, of which I advised you in my despatch, number 611. neither have I received a copy of the Memorial to the foreign Representatives which was decided upon by the general meeting mentioned.

It is my opinion that the proposal is a right one, and should be approved by the several foreign Governments. I am by no means sure however that it will receive the approval of the Chinese Government.

Government. This bar has been heretofore styled by them a heaven sent barrier, and at a moment when a foreign war is supposed to be impending, the Government is not unlikely to prefer to retain the defense. But beyond this it is true that the greatest apathy in regard to public improvements exists in this country, and that the one now proposed would have to be carried by the exercise of not a little energy on the part of the foreign Representatives.

I have stated this opinion to my colleagues, and it is likely that we shall conclude to refer the proposal to our Governments before discussing it with that of China,

each

each asking to be authorized to speak with a considerable degree of urgency when finally bringing the matter forward.

I have the honor to be,

Sir,

Your obedient servant.

George F. Seward.

Enclosure.

1. Woosung Bar. Report of a public meeting held at Shanghai, April 2nd, 1880.

Despatch No. 677. 1
Enclosure

The Shanghai Courier.

FRIDAY, 2ND APRIL, 1880.

THE RIVER CONSERVANCY DUES.

A public meeting of the mercantile community was held at the Shanghai Club this afternoon. The following is a copy of the advertisement convening the meeting:—

At the request of the Committee of the Shanghai General Chamber of Commerce, the undersigned, on behalf of the Consular Body, hereby gives notice that a Public Meeting of the Mercantile Community of this Port will be held at the Shanghai Club on Friday, the 2nd of April, at 2 p.m., for the purpose of considering a Memorial for the Foreign Ministers at Peking, with reference to River Conservancy Dues.

FOCK,
H. I. G. M.'s Consul General and Senior Consul.

Shanghai, 24th March, 1880.

The following gentlemen were present:—

Dr. Focke, Consul-General for Germany (chairman); C. F. R. Allen, Esq., Acting Consul for Great Britain; G. Lemaire, Esq., Acting Consul-General for France; O. N. Denny, Esq., Consul-General for the United States; Chevalier C. de Boleslawski, Consul for Austro-Hungary; Alberto de Garay, Esq., Consul for Spain; F. A. Pinto Bastos, Esq., Consul-General for Portugal; F. B. Forbes, Esq., Consul-General for Sweden and Norway; Shinagawa, Esq., Consul-General for Japan; and Messrs. R. de Malherbe, Nathan, Gubbay, Solomon, Christiensson, M. Boyd, J. S. Fearon, E. Burmeister, M. Fuckerbhoy, Goslemhoism, H. T. Wade, Thos. Rothwell, H. S. Bidwell, Lieut. Sleeman, C. L. Grant, R. D. McKie, G. E. Boomer, W. H. Aretz, E. Taumeyer, F. M. Youd, J. F. Holliday, J. H. Hart, G. Lemaire, J. K. Davis, W. H. Dalgliesh, D. Gilmore, W. Birt, J. W. Harding, P. Rustonjee, J. Hart, Tata, H. Overbeck, C. Thorne, A. Krauss, W. Howie, G. Bluntschli, C. M. Dyce, J. Cooper, Douglas Jones, T. Roustan, J. A. Taylor, H. J. Such, E. Moore, T. R. Wheelock, W. Brand, F. A. Groom, R. H. Percival, A. Burman, W. Primrose, M. Wolff, F. B. Forbes, F. P. Knight, R. W. Little, W. C. Ward, W. Reiners, C. E. Thomson, H. Ruttmann, H. Kirchoff, J. G. Purdon, J. Love (junr.), R. Francis, E. P. Hague, A. Lind, F. W. Lemarchand, M. Lawjee, W. S. Wetmore, J. Peerbhoy, C. J. Dudgeon, R. H. Artindale, H. R. Hearn, P. G. Hübbe, C. J. Skeggs, C. Kebbs, H. de Poney, M. Moses, B. Telge, J. A. Hawes, W. White, J. Bell-Irving, S. Walker, L. Mendel, A. G. Wood, G. A. Lindsay, E. H. Lavers, P. Maclean, J. Macgregor, J. Buchanan, A. Ilbert, G. A. Butler, A. Nachtrieb, C. Thorne, and E. H. Gore-Booth.

Mr. FORBES—I propose that Dr. Focke, the Senior Consul, take the chair at this meeting.

The proposition was agreed to, and Dr. Focke accordingly took the chair.

The CHAIRMAN—Let us now proceed to business. It is understood that only merchants will vote on any motion that may be brought forward at this meeting; and that only one representative of a firm will vote. I now call on the Chairman of the Chamber of Commerce to move the resolutions.

Mr. FORBES—I beg to move that Mr. Corner be appointed Secretary of this meeting.

Mr. LAVERS—I second.

The motion was carried

Mr. FORBES—Mr. Chairman and gentlemen,—The resolution I am about to bring forward on behalf of the committee of the Chamber of Commerce, has been published in the newspapers for some days, and is now in your hands. It is as follows:—

RESOLUTION.

Whereas the commercial interests of Shanghai are seriously threatened by the deterioration of the River approaches to the port, and whereas all appeals to the Chinese authorities to undertake the Conservancy of the River have proved ineffectual, owing to the want of funds for that object;

Resolved, that this meeting of the Mercantile Community of Shanghai, concurs with the Chamber of Commerce in deeming it expedient to recommend that funds for River Conservancy be raised by the imposition of dues at the rate of one-tenth of one per cent. *ad valorem* on all merchandise imported or exported through the Imperial Maritime Customs here, these funds to be administered by a Conservancy Board on which the Mercantile Community shall be represented.

Resolved also that this meeting approves of the following memoriral on the subject to the Representatives of Foreign Powers in China, and desires that it be circulated for signature by the Committee of the Chamber of Commerce, and forwarded to their Excellencies as soon as possible.

MEMORIAL.

To Their Excellencies
THE REPRESENTATIVES OF FOREIGN POWERS IN CHINA.

May it please Your Excellencies,

We, the undersigned, merchants, of Shanghai of different nationalities, beg to draw your attention to the increasing obstructions to the navigation of the Whangpoo River, the main waterway between Shanghai and the sea. The subject has already been so often brought to your notice during past years that it does not seem necessary to recapitulate in detail the growing encroachments of bars and shoals on the navigable channel of the River, by which the commercial prosperity of this port is seriously threatened. It may be enough for us to refer to the facts, as presented in the correspondence forwarded last autumn to Your Excellencies by the Shanghai General Chamber of Commerce.

The general question of the Conservancy of the Whangpoo River is undoubtedly one of much complication, and it can only be approached by persons of special scientific knowledge, aided by numerous and systematic observations. But there is no reason to suppose that the dredging and maintenance of a navigable channel across the Woosung Bar, and an immediate improvement of the harbour of Shanghai cannot be accomplished by the same means which have proved successful elsewhere, and at an expenditure which can be calculated in advance with sufficient accuracy.

We have been led to believe by the unsatisfactory results of repeated applications that all attempts to persuade the Chinese authorities to dredge the Bar will be unavailing, and that no regard for the important revenue derived from the trade of this port is likely to induce them to do more than they are compelled to do by treaty stipulations, none of which directly provide for the removal of obstructions to navigation. The evils complained of are, however, so great, that prompt action to avert them is urgently demanded, and as we understand that one, if not the principal, objection of the Chinese Government is the want of money for the purpose, we are induced to propose means by which the necessary funds may be raised without trenching on existing revenues.

The gradual closing of this port unfortunately menaces, not only our interests as merchants, but those of property holders in our Settlements and of the owners of the great fleet of steamers and ships that trade in these waters. We feel that, in strict justice, any scheme of taxation for the improvement of our river approaches should include everyone interested in the fortunes of the port, and we have no reason to suppose that property holders and shipowners would be averse to an arrangement by which they might contribute their fair proportion. We are aware that there are difficulties in the way of reaching these two classes, but we would beg of your Excellencies to consider whether these difficulties may not in some manner be overcome. In the meantime, however, it seems to us evident that trade, for which Shanghai was first opened to foreigners and which is the main source of her past, as it must be of her future prosperity, offers the widest and best area over which to distribute taxation for River Conservancy. The aggregate annual value of this trade, as shown by the Customs Returns for the six years, 1873 to 1878 inclusive, has averaged Tls. 125,000,000 Shanghai Sycee, and under present circumstances the most practical form of raising the requisite funds would seem to be by dues on the whole

trade, based on a percentage which long experience has proved not to be onerous, and levied like the tariff duties in a way which would cause the least possible trouble and expense.

We propose in short that special conventions be made with China by which River Conservancy Dues of one-tenth of one per cent. *ad valorem* shall be imposed on all merchandise, whether foreign or native owned, passed through the Imperial Maritime Customs of this port, on the first entry of the goods, but not leviable in cases of re-export from Shanghai. It should be expressly stipulated that the funds so raised should be wholly and exclusively expended, first in keeping open a navigable channel across the Woosung Bar, and afterwards in the general improvement of the River and port. To ensure this we believe it to be indispensable that the work should be supervised and controlled by an essentially Foreign Board of Conservancy, on which the Chinese authorities should be adequately represented by the Commissioner of Customs or others, as may be decided by the High Contracting Parties. It would also seem advisable that the members of this Board should be invested by the Central Government with powers to execute the works necessary for river and harbour conservancy within certain limits, and that they should be able to dispose of the dues, not only for current expenditure, but even to pledge them as security for public loans, should an immediate outlay be required equal to the estimated income of several years.

According to the figures already quoted, the amount of such dues would be about Tls. 125,000 Shanghai Sycee per annum, and they would grow with the natural expansion of the trade. As the records of the Chamber of Commerce contain a tender made some years ago to dredge a channel across the Bar of sufficient breadth and depth for $107,000 or Tls. 80,000, dredgers being provided, it is probable, not only that the dues would yield ample funds for dredging the Bar, but that there would be an annually increasing surplus applicable to such other works in the river and harbour as might be recommended by the engineers in charge.

The best proof which we can offer to Your Excellencies of the importance which we attach to the immediate execution of the works in question is, that we ask to have the expense defrayed by an extra burden on the trade in which we ourselves are concerned, although that is already sufficiently hampered by direct and indirect taxation. We are glad to know, through the Chamber of Commerce, that Your Excellencies have already been pleased to approve in principle of the arrangement proposed, and we trust that on your recommendation, early steps may be taken to negotiate the necessary conventions with China.

We have the honour to be,
Your Excellencies obedient Servants.

Gentlemen, the question we have to consider to-day is one of the most important which has ever been brought before a public meeting in Shanghai to discuss. Indeed, I do not think I am going too far in saying that it is a question of our existence as a mercantile community, for there can be no doubt that if something is not done to check the growing deterioration of the river, we must look forward, and at no distant day, to the time when Shanghai will cease to exist as a port of trade. We have spent years in trying to urge upon the Chinese authorities the importance of doing the work which the governments of countries which call themselves civilized do without any urging; yet only once has one little ray of hope penetrated the cloud which hangs between Peking and the rest of the world. In the year 1871 our Senior Consul stated that he had spoken with Mr. Hart, the Inspector General of Customs, about the Woosung Bar, and that that gentleman told him a dredger would be provided. Then we were told there were no funds available; next, doubts were expressed as to the practicability of improving the Bar; and afterwards one of the highest authorities in the empire calmly said the Bar was a "heaven-sent barrier." Then, again, being asked to furnish scientific information,—at our own expenses,—we obtained a very elaborate report from two competent Dutch engineers; which report, we presume, now occupies a pidgeon-hole in the Tsung-li-yamen. Then we got an offer from a practical man, whose business was dredging, to make a sufficient channel across the Bar for a given sum; and finally, the same Inspector General of Customs who in 1871 was authorised to say a dredger was coming, told us again he had no funds at his disposal, and held out no hopes. Gentlemen, that is a short story of the last ten or eleven years. I need not go further into detail about the matter; the moral history of it is this. The Chinese Government say their treaties do not oblige them to dredge the Bar, and that their ordinary revenues do not furnish money for the purpose. It would thus seem that the alternatives before as are these: Shall we let nature take its course, and when the Bar has closed up Shanghai, shall we move elsewhere, and build up again the foundations of a great emporium like we have here to-day; or can we suggest to China any means of raising a new revenue which will be sufficient for the whole immediately required, towards which we foreigners who make the proposal shall pay our own fair share? I think of the two alternatives we must choose the latter. Therefore, we have next to consider, what is the interest which is most jeopardised by the deterioration of the river, and which will be most benefited by the improvement of the water-way? There seems to be but one answer to that question. It is the trade of Shanghai; it was for trade that Shanghai was opened, and it is by trade that Shanghai prospers. (Hear, hear.) It is therefore on this trade that the proposers of this resolution recommend the first tax should be placed for the improvement of the water way and the approaches to the port. The plan we suggest appears to have several important advantages. In the first place, the percentage proposed has been found by long experience not to be a burdensome tax on commerce. Secondly, it would be paid by foreign and native traders exactly in proportion to the volume of trade of each. In the third place it would be collected through the Imperial Customs by the staff already organised, and therefore at the least possible trouble to all concerned, and at the least possible expense in collection. Of course, the first objection which naturally suggests itself is that the traders in imports and exports are not the only persons concerned in Shanghai. There are the shipowners, the owners of vessels which come to trade here—there are the owners of houses and land in the settlement; there are the bankers who annually import and export a great deal of treasure. Why, it may be asked, should we not tax the owners of ships and of real estate and treasure? There is some amount of force and plausibility in all these points; and I will deal with them one by one. You will have seen from the public correspondence that the imposition of port dues on the shipping forms part of the original plan of the Committee of the Chamber of Commerce; but Sir Thomas Wade, on behalf of the whole Diplomatic Corps at Peking, made the same objection to this proposal that he did to a similar proposal some years before in his own name as British Minister; namely that there were other interests involved in it than those of the trade itself. The force of the objection does not appear altogether clear, and you will notice that in the Memorial, which forms part of the resolution, their Excellencies are asked to reconsider their discussion on this point. Next, as to taxing property owners in the settlements. No doubt they would benefit much by an improvement in the communications with Shanghai; and I do not suppose that they would object to be taxed for the purpose of paying their fair share. The difficulty is how to reach them. The foreign treaties with China do not recognise any Chinese tax on land acquired by foreigners except the Imperial ground rent; and, so far

as I am informed, Chinese law does not recognise any other tax as regards Chinese subjects. We have two settlements here, and in each the ratepayers tax themselves annually,—from year to year only; and it is quite impossible that any permanent or large scheme of taxation could be made dependent on such annual decisions by a small body of foreign ratepayers, as is the case under the present municipal systems. It is, perhaps, possible that the Chinese Government may in time accord a more complete recognition of our municipalities, so that each municipality might be bound by Treaties to provide an annual sum from its Budget for River Conservancy, but I fear that time is not in the fear future. As regards taxing Bankers on the amount of bullion imported, or even exported, even supposing the Bankers to agree, or to be forced, to pay such a tax, they would at once recoup themselves by an equivalent in their discounts or rates of exchange. The movement of bullion to and inrof the East is simply an incident of a trade in merchandise, and any charge on the movement of the bullion must inevitably in the long run fall upon the goods which the bullion has to pay for. Apart, therefore, from the fact that in no civilised country bullion is taxed, I do not see what we, as merchants, would gain by including treasure in our scheme of taxation for river conservancy. After all, no scheme for such a purpose, can be divised which shall include everyone who is directly or indirectly benefitted by the work. The best that can be said of any tax is not that it brings no hardship to anyone, but that it produces the greatest benefit to the greatest number or the greatest interest; and there can be no question that the trade of Shanghai includes more both in number and value than any other interest involved. It is the backbone of Shanghai. If our port becomes inaccessible, ships and steamers must cease to call here as they do to-day; if our trade deserts us, there will be no movement of bullion, and the rent rolls of our property holders will disappear like the ships. Gentlemen, in finally proposing the resolution as already read, I have only to say that we do not offer our plan as one without objection, but as one which is at least practical, and which has already received in principle the approval of the Ministers at Peking and of the Consular Body here, and I most earnestly beg of you to think of all that is implied in itr rejection or acceptance.

Mr. R. W. Little—Mr. Chairman and Gentlemen,—I have been asked by the last speaker to second the resolution so ably proposed by him, and I gladly accept the task; because I am strongly of opinion that what the Committee of the Chamber of Commerce proposed has to be done, and that this is the best way of doing it. That the thing is to be done hardly requires any argument. In fact, the subject has been before us for many years; it has been dealt with in the Chamber of Commerce reports, in leading articles, and in Consular reports year after year, that every one must acknowledge the absolute necessity of dredging the Bar and conserving the river. For my part, I regard the conservancy of the river as more important than dredging the Bar. I believe the Customs have only made calculations for seven or eight years, but until last year there was but a slight annual difference in the water on the Bar. The quantity has risen or fallen according to the water in the Yangtsze. The amount last year was less than usual by about two feet, but that may be recovered. Those of you who can carry your memory back for many years will have noticed the great changes that have taken place in the river; but any one who does so for only a short time may see that the river is deteriorating month by month, indeed almost week by week. We pride ourselves on the beauty of our new esplanade; but unfortunately it must be looked upon not as the beauty of health, but, if I may use the analogy, as the hectic flush of consumption; for it shows that whilst we are beautifying our Bund, we are losing our river. In fact, the improvement of the esplanade has been at the cost of the river. We are, therefore, in some measure responsible for the condition of the river. When we go up the river, we noticed that there has been less change above the junks than near the settlement. Thus it is most important that we should have a Conservancy Board that we may, as far as possible, repair the injuries already suffered and prevent further loss for the future. The changes that have taken place in the river during the last seventeen or eighteen years, the time of my recollection, are enormous. As some of you may remember, what twenty years ago was known as middle ground, and now a considerable island, was under water, or flush with the water at high tide, whilst the upper middle ground, on which I last Sunday noticed a steamer aground, did not then exist at all. There is also no doubt a bank formed or forming at Yangtsepoo, within the limits of the harbour, so that large steamers find it difficult to swing to the tide. The growth of the Pootung Point and of the places opposite Messrs. Siemssen's and the Comptoir d'Escompte has all taken place within the last twenty years. This deterioration is continuous and will continue, for there is no power,—though there is supposed to be, which can prevent or has prevented anyone who likes lengthening his jetties or impeding the river in any way. I have heard opponents of this scheme to say that it only matters to property owners whether this river is preserved or not, that the trade hitherto carried on here can be conducted at some other place. I think the Inspector General of Customs once said that before long Shanghai must be shut up and that its trade would go to Chinkiang. Now to imagine that the trade of Shanghai can be readily moved to Chinkiang seems to me absurd. The suggestion reminds me of the remark of the French geographer to the effect that Providence has kindly put big cities at the side of large rivers. Those who cosider that the trade of the place could be so easily carried away, forget that Shanghai was a large centre of trade long before foreigners came, and that they came here because it was so. The position of Shanghai is such that it receives the silk traffic from the interior, that it is handy for the river traffic, and at the same time convenient for steamers from the southern ports passing to the north or to Japan; whereas Chinkiang, except for the river traffic, would have none of those advantages. It is, therefore, unnecessary to dilate on the necessity of conserving the river. We have, as the mover of the resolution said, had hopes at various times that the Chinese would do what was wanted themselves. I may mention that a small association with which I am connected wrote to the Commissioner of Customs asking to be allowed to attempt to rake the Bar, by throwing a large rake over it, as was suggested some years ago. I am told that the Columbia river in Oregon is successfully dredged in that manner. Well, as I say, we asked some months ago for permission to make the experiment, for the purpose of basing an estimate of the cost of dredging the Bar; but I am sorry to say that the other day an answer came in these terms:—

Custom House,
Shanghai, 30th March, 1880.

Gentlemen,—In reply to your letter of this day's date, referring to a previous one on the subject of raking the Woosung Bar, I have to inform you that the Chinese Government has taken up a certain position in this matter and that under the circumstances your application cannot be entertained.

I am, Gentlemen,
Your obedient servant.

(Signed) JAMES H. HART,
Commissioner of Customs.

To
Messrs. MORRIS & Co.,
Agents, Shanghai Tug Boat Association.

That is one reason why it is necessary to pass this resolution. That the Bar ought to be dredged cannot be denied by any civilized person; that it may be dredged is quite obvious to anyone what has been done with other rivers and works in other places.

What we have always been told is that the money collected on the tonnage dues, or the seven-tenths of them, was not sufficient to allow of dredging the Bar, and that there are no funds for that purpose. Therefore, we are prepared to come forward with the money and say "the Bar must be dredged at once; here is the money; and all we ask is to have a representative on the Board which is to spend it." It is impossible to tax the shipping. It is said that we shall not, in consequence of the removal of the Bar get lower freights; but surely a shipowner, in determining whether he shall send a vessel to Shanghai, is influenced by the part that he will be put to great expense in consequence of the Bar, and, when that expense is done away with, we may expect more competition, and so ultimately a reduction in freights. The difficulty of taxing property owners has already been referred to; but I may add that it would be difficult to borrow a large sum, or to carry out a great scheme, on an income raised as the Shanghai revenue is. The objection to the warfage dues was chiefly on the ground of the inequality of their incidence; but that cannot be asked against the present proposal.

Mr. J. G. MORRISON said he did not know if it was possible to him to say a few words. Possibly under a strict interpretation of the rule he was not a member of the mercantile community of Shanghai, but he believed he was a member of the community in Shanghai, which had been described as mercantile, and although he would not feel justified in voting, he did not think there could be any objection to a few remarks on his part. In the first place he thought that before the promoters of this scheme put it into its present shape it was a pity that they did not collect some more definite information and details with regard to the present and past state of the river. Before the speech of Mr. Little they had heard little concerning the state of the river. He thought that the detention of steamers was due in some measure to the increased depth of water steamers drew now-a-days. He published some figures the other day giving the average height of water at the bar, and on reference to them it would be seen that there was no steady decrease of depth for a number of years. For the five years ended in 1877 there was a decrease of five inches, but that was more than made up in the next year, so that for the six years ended 1878 there was on the whole an increase of 11 inches. In 1879, however, there was a very marked decrease. This might be partly due to the fact that the tides that year were not so high on the average, still he did think there was more than could be accounted for in that way. There was another thing which might happen in regard to the river, and that was a change of channel. That was a thing which, he believed, was certain to happen at some time or other. He looked upon a slow change of channel in this river as being the great danger which they had to face. He knew perfectly well that an opinion was of no use, if it had to be insisted upon. An opinion must command respect, or it was absolutely useless. An opinion was obtained sometime ago—he forgot whether it was from the Chamber of Commerce or the Consular body. That opinion had been spoken of to-day as an elaborate opinion. It was the first time he had heard it mentioned by the promoters of this scheme; but if anyone would turn to that opinion they would find that one of the principal paragraphs in it would show that the mouth of the river, as a whole, was in a better condition at the time of their examination than it had been at any previous time of which they had a note. This was, he considered, a proof that the channel could be preserved without dredging. He would urge upon the promoters of this scheme to obtain a trustworthy opinion in which they could place confidence. Then, again, it was absolutely preposterous to talk of dredging this bar as if it had anything to do with the conservation of the river. In England it was a principle that those who were most interested in a scheme would always advance the funds necessary for preliminary investigations. He believed that principle was, on the whole, a sound one, and he thought the promoters of that scheme ought to go to that expense at present. He made these remarks with no wish whatever to injure the scheme or to obstruct the promoters in their efforts. He believed there was a great deal of good in the scheme; he believed that river conservancy was necessary. He had never yet seen a scheme much injured by being criticised or pulled to pieces by its friends; but he had seen a scheme come to pieces when its promoters thought it was perfect and unassailable. In this instance he thought the door was open to Chinese to object to the carrying out of this scheme by saying in some form or other that it was not necessary. Therefore he would like to move, an amendment to this resolution. He did not feel sure that it would be seconded. Still possibly before the proposals were agreed to the promoters of the scheme might see fit to obtain a proper opinion on the river from some one in whom they could place confidence, and if they did so they would strengthen their hands, and possibly avoid any awkward results. He begged to move, as an amendment:—

"That after the word 'represented' there be inserted the following words:—'Provided that a trustworthy professional opinion be first obtained by the Chamber of Commerce to the effect that the conservancy of the river approaches to Shanghai would be physically and financially within the powers of such a board.'"

He hesitated to say anything about money in the presence of such a number of commercial gentlemen, but if any of them were going into commercial transactions they would not rashly subscribe their money until they had reason to believe (and the promoters of this scheme had not this at the present moment) that the object for which they were striving was certainly within their grasp.

The Chairman asked if Mr. Morrison intended to make this amendment his own, as he (the Chairman) had already intimated that only merchants should vote?

Mr. Morrison said he knew what the feeling of the community was at that moment, and he admitted that he felt that if the amendment were put to the meeting it would not be carried. Still, he would be glad if any gentleman would second his amendment formally.

Mr. H. S. BIDWELL—The proposal to dredge, or take away, or open a channel though the Woosung Bar is undoubtedly good and worthy of every support, but the question is, who is to pay for it, and should foreign merchants be taxed for the peculiarities of the Chinese Government or those who represent them? I quite agree with many of Mr. Morrison's remarks which are generally correct, but will Mr. Morrison kindly explain to this meeting the cause of the Woosung Bar, and to what fault in nature does the Woosung Bar actually owe its existence?

Mr. MORRISON made no reply.

Mr. FORBES said that with regard to Mr. Morrison's remarks, and the amendment he had placed before the meeting, he thought that Mr. Morrison was under a misapprehension as to the meaning and purport of the resolution and memorial. His remarks have been almost entirely devoted to criticism as to the means of conserving the river. As to whether the bar should be dredged, or raked, or left alone, or what should be done with it, their proposition was simply to ask that the revenue should be found. If the revenue can be found by such a tax as we propose we are perfectly confident that people will be found to suggest proper means for carrying out the conservancy of the river (Applause). The answer to proposals and efforts hitherto have been "no funds," and we now propose means by which funds may be raised.

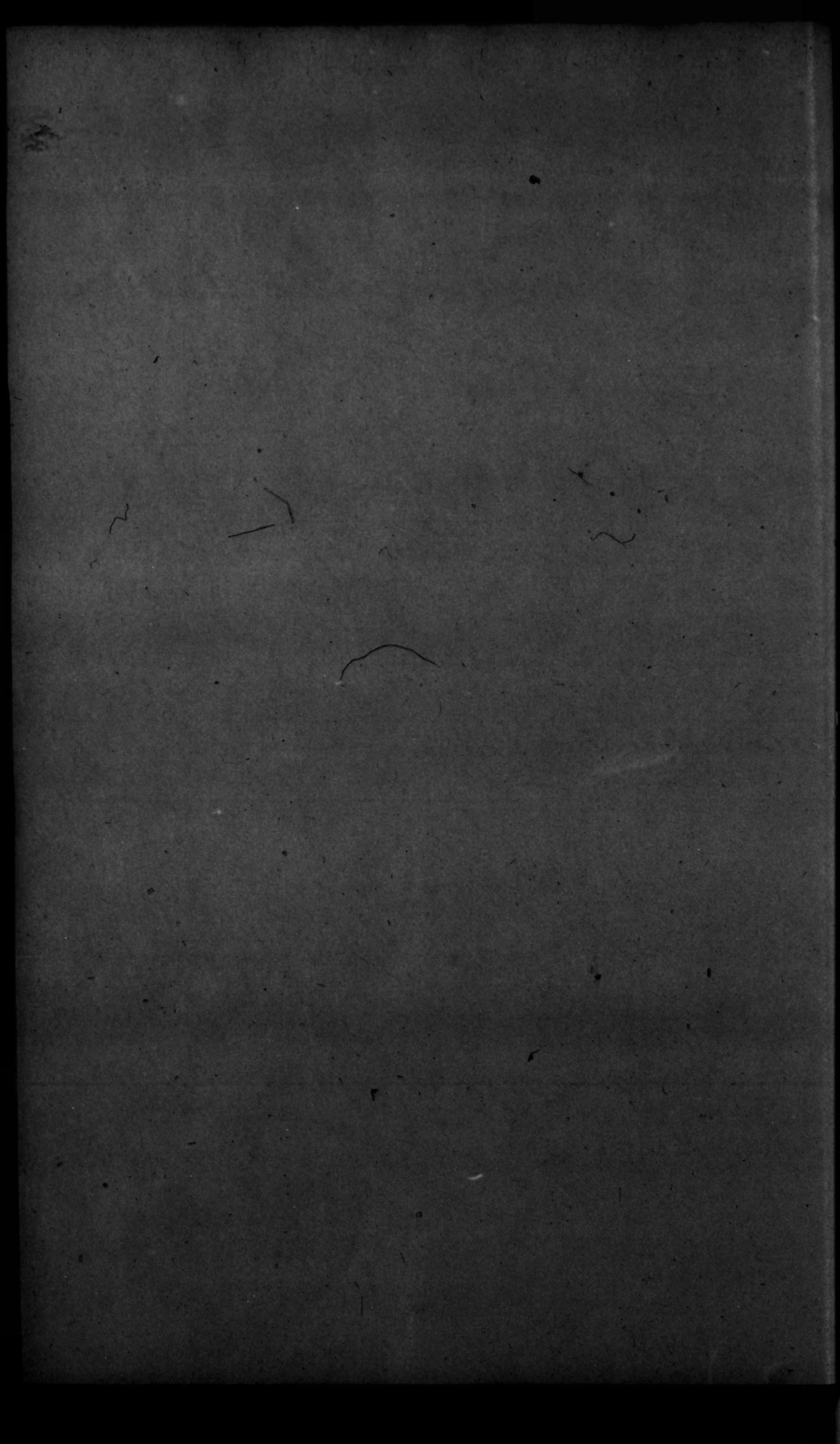
Mr. Kingsmill said that he might be allowed to make a few remarks in regard to the amendment proposed. He felt some diffidence in doing so, in the first place, through not being a member of the mercantile community, although he was entirely dependent on that community, and, in the second place, because the amendment had not been either proposed by a member of the mercantile community, or seconded by any one. With regard to the position of the Woosung Bar he thought that year by year, and month by month, the channel had deteriorated. It was now much shallower, he believed, than it was fifteen or sixteen months ago. He had had considerable experience of that bar; and it was only a few months ago that he had evidence there that steamers which had been in the habit of passing over it constantly on any tide now found themselves detained for want of water. He was himself a witness last autumn of no less than five steamers of no more than ordinary draft being detained at the bar. The little *Tun-sin*, which for years had been running up and down the river without, he believed, hindrance at the bar, was among others he saw detained there. There was however, a much wider question at issue than the mere depth of water on the bar, and that was the area of the water in the river. He knew from experience that that area had suffered very serious deterioration. They were all aware that it had very considerably decreased. This was a much more important question for the community than the mere silting up at the bar. The latter was a difficulty that might be got over at any time, but the same could not unfortunately be said in regard to the rapid decrease that was taking place in the volume of water in the river. There were certain laws with regard to the passage of waters through alluvial ground, such as they had at Shanghai, and no engineer would, he thought, hold that there was any serious difficulty in the way of turning the flow of water in the river in such a manner that a fair channel could be conserved the whole way. The Sulina mouth of the Danube, and one of the channels of the Mississippi, were instances of what could be done in this direction. There was no necessity at this stage of the matter to ask for any elaborate details as to the way or possibility of doing the work. The instances he had referred to showed that it could be done. The promoters of this scheme had come there to endeavour to obtain a board of conservancy, and when that was effected, and funds were provided, there would be no difficulty as to the methods of carrying out the work.

Mr. GUBBAY said he had to say on behalf of the opium merchants that after they had paid a great deal to the Municipal Council, the wharfage dues had been abolished. It did not make any difference to the opium merchants whether they lived at Woosung or anywhere else on the river. They could keep their opium down there and if they wanted it in a hurry they could send a steam launch down for it; and they could live down there themselves. Their opium was not consumed in Shanghai. He thought that those who received the advantage from this conservancy should pay for it.

The CHAIRMAN, in putting the motion to the meeting, said he thought all the most important points connected with the resolution had been laid before them, and therefore he need not add anything. The present measure certainly proposed the most practical way of getting out of the difficulty. He might state on behalf of his colleagues that they had had the scheme of the Chamber of Commerce under their consideration, and they had given their support to the same. He would leave it to them to decide by their vote whether they would make a small sacrifice for the welfare and prosperity of the port and community. He had only to repeat his request that only merchants would vote, and that only one representative of a firm would hold up his hand.

The motion was then put to the meeting, and declared carried on shows of hands for and against. There were about thirteen hands held up against the motion, apparently chiefly those of opium merchants. The amendment, not having been seconded, of course, was not put to the vote.

A vote of thanks to the Chairman for his services in the chair, and to his colleagues for their attendance, proposed by Mr. Forbes, brought the proceedings to a close.



File.

Ack

made

No. 678.

Legation of the United States.

Peking, May 5th, 1880.

DEPARTMENT OF STATE
JUN
30
1880
RECEIVED

George F. Seward to

the Secretary of State.

Subject.

Consular Interpreters.

1-

Synopsis.

Mr. Seward informs the Department of the resignation of Interpreter Macleay at Shanghai, refers to previous despatches upon the general subject, and comments upon the deficiencies of the present system.

No. 678.

Legation of the United States

Peking, May 5th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I learn from the public press and from unofficial sources that Mr. Macleay, Interpreter at the Shanghai office, has resigned.

In this connection I beg leave to refer you to my several despatches in regard to the importance of maintaining a good Interpretorial staff in the Consulates, and more particularly to Mr. Holcombe's despatch, number

82.

82. and my despatch number 502.

The efforts of other Governments in this direction may be indicated by the simple statement that Great Britain, France, Russia, and Germany have already a considerable number of trained Interpreters in their respective services, and that England has now here in training for the Consular service four young men, France and Russia each two men, and Germany three. The English are at the moment expecting eight more students. All of these gentlemen in the several services named come here for periods of two or three years. They all speak

one

one or more languages besides their own before they come, and they are all carefully chosen with respect to their general attainments and their fitness for public stations.

It is the United States only of all the leading Western Powers which appears to be indifferent to the importance of providing trained and competent men for this specially difficult field, or to be unable to provide the (4) necessary legislation. I presume that the present system under which about half of our Consuls appointed to this part of the world during the last twenty years have proven unfit for the duties, or corrupt and have been withdrawn

in

in consequence, returning home only to blacken the reputations of those who have done good service, will continue for an indefinite period.

If this statement shall appear to you extreme, I beg leave to say that I have myself, as Consul General at Shanghai, and Minister, caused the removal of the following officers:—

From Hankow Mr. Breck
" " Mr. Johnson.
" Canton Mr. Jewell
" Chinkiang Mr. Flint
" Shanghai Mr. Myers,

and that each one of these has returned home to swell the chorus of accusation and defamation

defamation against me, and to
break down the best hopes of those
who have worked with earnestness
to introduce a system under
which such a state of things
would be impossible.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Edwards

Ack

made

No. 679. Three Enclosures.

Legation of the United States.

Peking, May 6th, 1880.

DEPARTMENT OF STATE
JUN 30 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Methodist Mission premises in the Chinese city.

Synopsis.

Refers to Hon. Seward's despatches, numbers 640. and 646. and covers further correspondence showing that the business has been satisfactorily concluded.

No. 679. Three Enclosures.

Legation of the United States.

Peking, May 6th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:-

Referring to my despatches, numbers 640. and 646., in regard to the exchange of certain property owned by the American Methodist Episcopal Mission in this city, I have now the honor to hand to you 1/ 2/ 3/ copies of a further correspondence which I have had with the Foreign Office upon the subject. 679.

You will see from these papers that the business has been concluded

No. 679. Three Enclosures.

Legation of the United States.

Peking, May 6th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:-

Referring to my despatches, numbers 640. and 646., in regard to the exchange of certain property owned by the American Methodist Episcopal Mission in this city, I have now the honor to hand to you 1/2/3/679. copies of a further correspondence which I have had with the Foreign Office upon the subject.

You will see from these papers that the business has been concluded

concluded in a manner satisfactory to all parties concerned.

I have the honor to be,

Sir,

Your obedient servant.

Enclosures.

1. Hon. Seward to Prince Kung.
26/1880. April 16th, 1880.
2. Prince Kung to Hon. Seward
33/1880. May 2nd, 1880.
3. Hon. Seward to Prince Kung.
34/1880. May 3th, 1880.

Despatch No. 679
Enclosure 1.

Mr. Seward to Prince Kung.
26/1880

April 16th, 1880

Sir:—

Referring to the exchange of certain property owned by the American M. E. Mission in Sin-li-Chang, with the literati and gentry of that neighborhood for certain other property purchased by the latter outside the "Shun-Chih Men" I am requested by the missionaries to hand to Y. I. N. the enclosed deed of exchange, duly signed by the missionaries, and beg that Y. I. N. will transmit it through the usual course to the literati and gentry in question, securing from them in turn their deed of exchange that I may deliver it to my people, thus closing the business.

I am requested by the missionaries to state that the

Yamen

Yamen of streets and roads in giving them the usual permit to erect buildings upon the premises received by them in exchange, has inserted the words "in case the two portions "of the premises are made to communicate, "the back gate on the Chiao Chang "lou lane is to be closed." Without desiring at the moment to raise a question upon this point the missionaries desire me to state that they have not assented to this condition.

I have, &c,

(signed) George F. Seward.

Despatch No. 679.
Enclosure 2.

33/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication.

Upon the 16th ultimo, I had the honor to receive a despatch from Y. E. in the matter of the exchange of certain chapel property in the Liu-li-Chang, owned by American missionaries, with the literati and people of that locality for certain other property recently purchased by the latter outside the Shun Chih Gate.

In this despatch Y. E. forwarded, at the request of the missionaries, a contract of exchange duly executed by them, to be delivered by me to the parties concerned, and requested me to secure from the literati and people the contract of exchange on their part, and transmit it to you to be handed over to the missionaries etc.

The

The contract enclosed in Y. E.'s Despatch was at once sent by this Office to the North City Arsenals with instructions to secure and forward the contract asked for by Y. E. — I am now in receipt of this document duly signed and attested, and have the honor to enclose it herewith, in order that Y. E. may deliver it over to the missionaries to whom it belongs.

H. E. George F. Seward,
etc — etc — etc — etc.

Peking, May 2nd, 1880.

Despatch No. 679.
Enclosure 3.

34/1880.

Mr. Seward to Prince Kung.

May 5th, 1880.

I have had the honor to receive Y. I. H. despatch of the 2nd instant containing the contract of exchange, on the Chinese side, for the exchange of certain properties recently effected between the literati and people of Liu Li Chang and certain American missionaries, and asking me to deliver over the document to the parties concerned.

I have done so and beg leave to thank Y. I. H. and the Ministers of the Yamên for the trouble they have taken in this case.

I have, &c.

(signed) George F. Seward.

Bureau of Accts.

Trade

No. 680. One Enclosure.

Legation of the United States.

Peking, May 6th, 1880.

George F. Seward to

the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Forwards a statement of this account for the quarter ended March 31st, 1880.

No. 680. One Enclosure.

Legation of the United States.

Peking, May 6th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to
you, herewith, a statement of the No. 680.
rent account of this Legation, for
the quarter ended March 31st, 1880.

A duplicate will be
forwarded by the next mail.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

Enclosure.

1. Statement of the Legation rent account for the quarter ended March 31st, 1880.

Ack C.P.

Made

No. 681. Two Enclosures.

Legation of the United States.

Peking, May 6th, 1880.

DEPARTMENT OF STATE
JUN 30 1880
RECEIVED

George F. Seward to the Secretary of State

PRINTED.
FOREIGN RELATIONS
1880

Subject.

Currency paid for Customs dues.

Synopsis.

Mr. Seward forwards a memorandum of a conversation had with certain Ministers of the Foreign Office upon this subject.

1880

No. 681. Two Enclosures.

Legation of the United States.

Peking May 6th, 1880.

Honorable William M. Evarts.

Secretary of State,

Sir:-

I have the honor to hand to you, herewith, a letter which I am addressing to the Yamen of the Diplomatic Body, transmitting a memorandum of my remarks, in presenting to the Ministers of the Foreign Office, the questions regarding the currency raised by my Colleagues and myself, and showing the responses made by them. 681.

I

2/681.

I have also to hand to you a copy of my letter to the Prince.

I have the honor to be,

Sir.

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Hon. Seward to Sir Thomas Wade April 30th 1880.
2. Hon. Seward to Prince Kung.

Despatch No. 681.
Enclosure 1.

Mr. Seward to H. E. Sir T. Wade.
29/1880. April 20th, 1880.

Dear Sir and Colleague,

I beg leave to hand to you, herewith, a memorandum showing my procedure in placing before the Ministers of the Tsung-li Yamen, at your request and that of my Colleagues, the facts and considerations in regard to the condition of the Chinese currency affecting the payment of Customs dues and duties to which we have felt ourselves warranted in calling their attention.

This Memorandum will be translated into Chinese and forwarded to the Yamen with Mr. von Brandt's printed paper and my own, in case you and our Colleagues generally find it to be in accordance with our views and agreement.

I am, Dear Sir and Colleague,
Yours faithfully (signed) George F. Seward.

Dispatch No. 681
Enclosure 2.

40/1880.

Mr. Seward to Prince Kung

Peking, May 11th 1880.

Y. I. H.

I had the honor to wait on the Ministers of the Yamen, on the 29th instant, as a delegate of the Diplomatic Body, to lay before them certain facts and considerations in regard to the Chinese currency which my colleagues and myself agree in believing have a prejudicial effect on trade, in order to secure such a reform as will secure to our country people reasonable certainty and accuracy in their payments of Customs dues and duties, and I have now to hand to Y. I. H. a Memorandum which I have prepared setting forth in brief my remarks and the responses of the Ministers.

This Memorandum has been submitted

submitted to my Colleagues and meets their approval.

I beg leave to hand to Y. E. also two Memoranda, in English, regarding the Chinese currency prepared respectively by H.E. Mr. von Brandt, the Minister of Germany, and myself. My Colleagues and I believe that they may assist the Ministers to reach an understanding of our views upon this important subject. I should remark, however, that they were not prepared for the Yamen, but for our own use and the elucidation of the questions involved.

I seize this opportunity to renew, &c ___ &c ___ &c.

(signed) George F. Seward,

Memorandum of an interview on Thursday, the 29th of April 1880, between Mr. Seward, U. S. Minister, and the Tsung-li-Yamen in regard to the currency matter.
Present the Ministers Tung, Kwang, and Chung-lin.

Mr. Seward said that he had come to the Yamen in pursuance of an arrangement made by Sir Thomas Wade, Doyen of the Diplomatic Body, and the Ministers to place before them on behalf of the Diplomatic Body, certain facts and considerations regarding the payment of Customs duties and dues, consequent upon the peculiar nature of the Chinese currency, and that he esteemed himself fortunate in meeting for the purpose the Ministers who were present because undoubtedly

doubtedly they are specially acquainted with the subject, one of them being the President of the Board of Revenue and the others having been officially connected with the Customs, at the ports of Hankow and Canton.

Mr. Seward then said in substance:—

1st. That their Excellencies are aware that the Governments of all Western nations have established Mints and put out coins which are used as money and form the standard of values.

2nd. That China has not seen fit to coin the precious metals and that they are passed by weight.

3rd. That a great deal of difficulty is met by foreigners in consequence of a state of things so unfamiliar to them and by reason of the fact that each locality appears to have a special scale, and that

the

the fineness of the silver in circulation varies with the locality and even at the given locality.

4th That the subject has been found one of so much importance that it has been made a matter of negotiation between China and foreign Powers. The leading stipulations are as follows.

American	Treaty	of	1844.	Art. XII
Do	Do	"	1858.	" XXII
French	Do	"	1844.	" XIX
Do	Do	"	1858.	" XXXI
British	Do	"	1858.	" XXXIX
German	Do	"	1861.	" XXII
Danish	Do	"	1863 Sup. Rule 9.	

5th That it appears from these stipulations.

(a) That the standard scale provided for is that issued by the Board of Revenue to the Canton Customs. (British Treaty)

(b) That the values of foreign coins may be arranged with the

(Customs

Customs at the several ports. (Fr. Treaty)

(c) That the rate of the day may be claimed. (American Treaty)

(d) That one system may be claimed for all the ports. (Danish Treaty)

6th That the foreign Representatives are of opinion that it is desirable to make one system for all the ports.

7th That to this end they propose that the Yamen shall name the standard tael of China and take steps to have its exact equivalent by foreign scales, and the purity of the silver used in passing it, determined by a person competent to do such work.

8th That the values of the taels used at the several ports, and of foreign coins relatively to the standard be ascertained in the same way.

9th That all Customs dues and duties be received according to the

the result is revised as
10th That it appears not only
from the XXXIX Article of the
British Treaty of 1858. that
the Board of Treasury scale
(Kuping) is the one which should
be considered the standard for
the payment of Customs Dues
and duties, but also from the
Imperial Letter of April 9th 1877.
and January 19th 1880. Wherein it is said
in the former :- "All payments to
"and from the provinces are made
"in the Kuping Tael of pure silver"
and in the latter "The ——
"Superintendents of Customs should
"be instructed in the receipt of
"duties to take the Treasury Tael
"of pure silver as the standard"
11th That the Foreign Representatives
while accepting these declarations
as satisfactory so far as they go,
desire to say that their object
is not to raise questions as to
the value of the one tael or

so the needs of the case may with a view to secure the benefit of early payments. They are entirely desirous that the Government shall receive all that is justly due, and their object is to secure regularity, payments that certainty and accuracy may be reached.

12th That what proposals may be illustrated and the importance of the subject demonstrated by an examination of the following facts

(a) That while the Yamen has declared that Duties shall be paid in Kuping taels, collections are in fact made or assumed to be made after what is called the Haikwan scale.

(b) That this scale is assumed to be about 12 per cent higher than the Kuping scale.

(c) That it is not constant with the Kuping scale or will be seen from the following Table.

Transfer

Tientsin etc. Haikwan Tls. Kuping Tls.

Kiaochow " " " " 101.

Shanghai " " " " 101.63

Foochow " " " " 101.70

(d) That in comparing local silver and foreign coins with Haikwan taëls, it is assumed that the Haikwan standard exists for silver just as the Kuping standard does, while as a matter of fact there is no professedly pure silver in circulation. It is believed that Haikwan is alloyed from 1. to 2. per cent.

(e) That the assays of foreign coins do not give their actual fineness. The native assayists at Canton have ascertained that the American Trade dollar is 903. fine, the Hongkong dollar 902. the Japanese dollar 903. while as a matter of fact each is 900. fine

(f) That the local information

(omitted)

available indicates that the Haikwan tael is worth 103 p.c taels of the Tientsin Yangtsing (local tael) and that duties were paid at that rate until lately by the Russians. Foreigners now pay at the rate of 105. Chinese importing at the foreign Customs pay at the rate of 103. and when at the native Customs 112.

(g.) That at Newchwang foreigners pay at the rate of 108.½ and natives at the native Customs 112.

(h.) That at Chefoo, foreigners pay at the rate of 114 p.c and natives at the foreign Customs 108 p.c. The Taotai of Chefoo stated on 10th July 1877. that the Chefoo tael is 2 per cent less than the Kuping tael, according to this it should be about 3½ per cent less than the Haikwan.

(i.) That without going further, the facts stated indicate to the

the need of a reform in the passing of bullion and coins in the payment of customs dues and duties.

13th. It is not the business of the foreign Representatives to meddle with the internal administration of China. They have reason to believe, however, that the excess paid by them over and above the Kuping standard does not accrue to the benefit of the Government but to the Customs Banker, and that a reasonable charge for the examination of bullion, including remelting, would amount to a moiety only of the excess now paid.

14th. That this statement is submitted in the earnest hope that it will receive due attention. An immediate answer is not requested. The Ministers will wait on the Chinese again after a few weeks in order to discuss the subject further.

several hundred years, and that
weights prepared by the Board
of Works are sent by the Board
of Revenue to each provincial
Treasurers office.

17th Mr. Seward then asked
whether the Ministers consider
the so called pure silver of the
Hu Ping standard absolutely without
alloy, and understood them to say
that it is not absolutely pure,
but of a degree of fineness which
justifies them in calling it pure.

18th Mr. Seward then asked what
the expence of remelting silver
amounts to, and understood the
Ministers to say about 20 tael
cents on 100 taels.

19th Mr. Seward then remarked
that the multiplication of
standards is of itself confusing
and that he hoped that the
Hu Ping standard which is
only the scale of the

Imperial

The Ministers having heard the foregoing statement, amplified as appeared necessary in the course of his remarks, responded that they would take the business into consideration and would be pleased to see Mr. Seward again at a later date

15th Mr. Seward then asked the origin of the Kaikiran taël and was answered that it had been in use a long time, but why it was introduced was not made clear.

16th Mr. Seward then asked whether the Keeping scale has been constant for a long period and whether the weights of this scale are sent out by the Board of Revenue to the provinces, and are known in the provinces. He understood the Ministers to answer that the scale has been constant for a long period, &

several

Imperial Government could be adhered to in place of the Kirikuan.

Mr. Seward then thanked the Ministers for their courtesy and attention and withdrew.

(signed) George F. Seward.

Peking, April 20th, 1880.

Ask C.P. made

No. 682. Two Enclosures.

Legation of the United States.

Peking, May 6th, 1880.

DEPARTMENT OF STATE
JUN 30 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Supplementary German Convention.

Synopsis.

Forwards the German text, and an unofficial English translation; states and comments upon the main concessions made on either part. The larger questions left to be dealt with hereafter. The cooperative policy faithfully followed by Mr. von Brandt.

No. 682. Two Enclosures.

Legation of the United States.

Peking, May 6th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to my despatch, number 660., of the 15th ultimo, I have now the honor to hand to you a copy in 1/682.
English, translated unofficially from the German, and also a copy of the German text of the 2/682
Supplementary Convention recently concluded between the Minister of Germany at this Capital, and the Chinese Government.

You will learn upon perusing

perusing this Convention that the really important matters which have engaged the attention of the foreign Legations for a considerable period have not been dealt with by the negotiators further than to indicate (Article 8.) that the settlement of "the questions affecting the exercise of jurisdiction in limited cases, the taxation of foreign goods in the interior, the taxation of Chinese goods owned by foreigners in the interior, and the relations between foreign and Chinese officials, is reserved for special negotiations which both Governments hereby declare themselves ready to enter upon."

The actual matters in regard

regard to which stipulations have been made embrace:-

1st, A declaration that the ports and landing stages provided for in Sir Thomas Wade's Chefoo Convention, (not ratified) have already been opened to trade, and that Woosung, a town at the junction of the river Whangpoo, upon which Shanghai is situated, with the Yangtze, shall also be opened in part.

2nd, That German vessels shall not pay tonnage dues more than once in four months, regardless of the voyages made or the places visited.

3rd. That vessels detained in harbor more than 14 days shall pay tonnage dues only at half the

the usual rates.

4th u. That bonded warehouses shall be established.

5th u. That the export duty on native coal shall be reduced.

6th u. That vessels under repair shall not pay tonnage dues.

7th u. That no duties shall be charged on the materials of condemned vessels.

8th u. That dock materials shall be duty free.

These concessions to the German Government are of a certain value. It was very desirable that the states of the ports named in Article 1st u. should be assured. The provision regarding bonded warehouses is also of importance.

The

The concessions regarding tonnage dues will also serve a purpose at a moment when competition is keen and profits small.

The concessions or declarations made by the Germans are as follows:-

1st Art. That privileges claimed under the favored nation clause shall be subject to the executive & conditions attached thereto.

2nd Art. That China may appoint Consuls in Germany.

3rd Art. That peraltties shall follow the rendition of false manifests.

4th Art. That persons acting as pilots without licenses shall be & liable to a fine.

5th Art. That Chinese owned vessels shall not fly the German flag.

6th Art.

6th. That passports for inland travel shall be surrendered at the expiration of a year.

7th. That transit passes shall be valid for a year only.

The very minimum of concession is granted by these clauses in return for those granted by the Chinese. The most important is that which refers to the favored nation clauses. But even this is rendered narrow by the attendant explanatory clauses which make it refer to future stipulations, and declare that the "executive provisions" are such as shall have been agreed upon by the contracting parties. That is to say, if China shall hereafter concede to any foreign power

Power a right or privilege in exchange for any other privilege conceded by that Power to China, or upon conditions guarding it assented to by that Power, then the subjects of the German Empire shall enjoy the right or privilege, subject to the counter concessions or conditions which have been agreed to.

While Mr. von Brandt, the Minister for Germany is to be congratulated on the termination of labors which, notwithstanding the minor importance of the results obtained, have been arduous and protracted, it is to be said that he has throughout been faithful to the cooperative policy. That policy was defined and initiated

as

as a policy by my predecessor Mr. Burlingame under the instruction of Secretary Seward, and has ever since been adhered to by us with varying results for the moment, but in the main with abundant satisfaction. If it has sometimes hampered the efforts of individual Ministers, it has often checked their vagaries. Whenever departed from in general questions, it has been able to readsert its merits and to bring about concerted action. It has meant justice to foreign interests and the just treatment of China. To this policy Mr. von Brandt has steadily adhered, and his Convention has been made in face of the fact that he has stood

stood with his colleagues in their efforts to treat the larger questions of foreign intercourse enumerated in the 8th Article.

Diplomatic effort at an oriental Court, and in particular at this Court, is not the same as in a well ordered Western State. The lines of its administration within, and those of its intercourse without, judged by our standards, are all abnormal and singular. To seize upon and hold fast to principles which should determine policy, to define them, and to secure for them the endorsement of one's colleagues and of one's Government is a labor worthy of statesmanlike effort. The field of

labor

labor is so distant and so obscure that such effort cannot be expected to win for the given officer adequate compensation. It may bring him into direct opposition to the mercantile bodies who have fewer opportunities for observation and first study of the subject. It may even bring him into collision with his own Government for the reason that special ideas and purposes toward China may be entertained there, or that, in the effort to reconcile the principles of intercourse which control us here with those which control our relations with other Powers, the given Government may unwittingly sacrifice its best interests, overruling and

and condemning its Minister to their own damage.

It is a matter of much satisfaction to me, at the moment when I am about to quit the arena in which I have contended for so many years, that I shall leave on the spot men who are working in unison to advance general interests, and plainly enunciated statements of principle and policy as a guide for the future.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

Enclosures.

1. English translation of German Supplementary Convention.
2. German text.

Despatch No. 682.
Enclosure 1.

Translation

Supplementary Convention to the Treaty of Commerce and Navigation between Germany and China.

His Majesty the Emperor of Germany, King of Prussia, etc. etc, in the name of the German Empire, and His Majesty the Emperor of China, desiring to secure the better execution of the Treaty of Friendship Navigation and Commerce concluded between them on the 2nd Sept. 18[illegible], have resolved, in accordance with the provision made in the 41st Article of that Treaty, to the effect that the high contracting German States may demand a revision of the Treaty at the end of ten years, to negotiate a Supplementary Convention to the Treaty, and they have for that purpose named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Germany, King of Prussia, etc. etc

Max August Scipio von Brandt
His Majesty's Envoy-Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China

And His Majesty the Emperor of China:

The Ministers of the Tsungli Yamen

Shên-Kuei-fên. Secretary of State, Assistant Member of the Grand Secretariat and President of the Board of War.

Ching Lien, Secretary of State, and President of the Board of Revenue.

Who, after having communicated to each other their respective full powers, and found them to be in

good and due form, have agreed upon the following Articles: -

Article I.

The ports of Ichang in Hupei, Wuhu in Anhui Wenchow in Chekiang, and Pakhoi in Kwangtung, and the landing-places Tatung and Anking in Anhui, Hukow in Kiangsi, Wusueh, Luchikow and Shashih in Hukuang, having been already opened (to foreign trade), it is now further agreed by China that German vessels shall be permitted to make temporary stoppages at the port of Wusung in the Province of Kiangsu for the purpose of shipping or discharging merchandise. To this end the necessary regulations shall be drawn up by the Taotai of Shanghai and other competent authorities.

In case concessions made by the Chinese Government to another Government have attached to them special executive provisions, Germany, whilst claiming for itself and for its subjects (the benefit of) such concessions, agrees to give its consent to the executive conditions thereto attached.

Article 40 of the Treaty of 2nd Sept. 1861 is not affected by this provision, but is hereby expressly confirmed. Should German subjects base on this Article any claim to privileges immunities or advantages which may hereafter be conceded by the Chinese Government to another Government or to the subjects of any other nation, they shall submit to the executive provisions agreed upon.

Article 2.

It is agreed by China that German vessels which have already paid tonnage-dues in China shall be at liberty to visit all the other open port of China, as also all non-Chinese ports, without exception, without further payment of tonnage-dues for a period of 4 months.

and that German sailing-vessels lying in a Chinese harbour for more than fourteen (14) days, shall pay, for any time beyond this period, only the half of the tonnage-dues stipulated by Treaty.

It is agreed by Germany that the Chinese Government shall have the right to appoint Consuls at all places in Germany where Consuls of other nations are admitted, and they shall enjoy the same rights and advantages as the Consuls of the most favoured nation.

Article 3.

China agrees that at all open ports where it is considered desirable by the foreign trading community, and where the circumstances of the locality appear to render it practicable, the Chinese Superintendent of Customs and the other officials concerned shall themselves commence the construction of Bonded Warehouses, and at the same time draw up the necessary regulations.

It is agreed that German vessels which visit the open ports of China shall hand in a manifest containing exact particulars of the quality and quantity of their cargo. Any mistakes which may have occurred in the manifest may be corrected

within twenty four hours (exclusive of Sundays and Festivals), but false statements as to the quantity or quality of the cargo on board will be punished by confiscation of the goods in question, and further by a fine to be imposed on the master, the total amount of which, however, shall not exceed five hundred Taels.

Article 4.

It is agreed by China that the export duty on native coal exported by German merchants from open ports be hereby reduced to three (3) mace per ton, but in the case of coal exported from ports for which a lower duty has been already fixed this lower rate remains in force.

It is agreed by Germany that if any are not in possession of the prescribed license act as pilots to any kind of vessel he shall be subjected to a fine not exceeding one hundred Taels for each offence.

Further, regulations for the exercise of proper control over sailors shall be agreed upon as speedily as possible.

Article 5.

It is agreed by China that German vessels requiring repairs, owing to damage suffered either in or outside the harbour, shall pay no tonnage-dues during the time occupied in such repairs, which time shall be fixed by the Customs officials.

It is agreed by Germany that vessels owned by Chinese shall not fly the German flag, and that German vessels shall likewise not make use of the Chinese flag.

Article 6.

It is agreed by China that in case unseaworthy German vessels be broken up in an open port of China the materials may be sold without import duty thereon being levied. But as soon as the materials are to be brought to land a "permit to discharge cargo" shall first be obtained from the Customs in the same way as for goods.

It is agreed by Germany that if German subjects travel for pleasure in the interior without being in possession of a passport issued by the Consul and stamped by the proper Chinese official, the local authorities concerned shall have the right to send them back to the nearest German Consulate for the exercise of the requisite control over them. The offenders shall further be liable to a penalty not exceeding three hundred Taels.

Article 7.

It is agreed by China that materials for German Docks shall be free from (import) duty. A list of those articles which may be imported free of duty by reason of this provision shall be prepared and published by the Inspector General of Customs.

Germany agrees that Inland passes issued to German subjects for foreign goods, as also travelling passports issued to German subjects, shall be valid for the space of thirteen (13) Chinese months from the day of issue.

Article 8.

The settlement of the questions affecting the exercise of jurisdiction in mixed cases, the taxation of foreign goods in the interior, the taxation of Chinese goods owned by foreigners in the interior, and the relations between Foreign and Chinese officials, is reserved for special negotiations, which both Governments hereby declare themselves ready to enter upon.

Article. 9.

All the provisions of the former Treaty of 2nd Sept. 1861 which have not been abrogated by the present revision, are, as both parties expressly declare, hereby reaffirmed. In the case of such Articles, however, as are affected by the present agreement the revised version shall be considered as ruling.

Article 10.

The present Supplementary convention shall be ratified by their Majesties on both sides, and the ratifications shall be exchanged at Peking within one year from the day of signature. The provisions of this Agreement come into force on the day of the exchange of the ratifications.

In witness whereof the Plenipotentiaries of the two high contracting parties have signed and sealed the present Agreement in quadruplicate each of the German and Chinese texts which have been compared with one another and found to agree.

Done at Peking, the 31st day of March in the year of Our Lord one thousand eight

Hundred and eighty, corresponding to the 21st day of the 2nd month of the sixth year (of the reign) of Kwang-hsü.

(signed) M. von Brandt. (sig) Shên-kuei-fên.
(sig) Ching Lien.

Special Provisions of the Supplementary Convention

Whereas it has been deemed expedient for the sake of greater clearness and completeness to supplement the above Convention by a number of Special Provisions (it is agreed that) the Provisions hereinunder following shall be equally binding on the subjects of both contracting parties with the provisions of the Treaty itself. In Witness whereof the respective Plenipotentiaries have hereto affixed their seals and signatures.

§ 1. In consequence of the privileges newly conceded for the port of Wusung in the Province of Kiangsu German vessels shall be at liberty to ship or discharge at that port merchandise intended for or coming from Shanghai.

To this end the Customs Taotai at Shanghai and the other competent authorities there shall have the right to draw up regulations for the prevention of excise frauds and irregularities of every kind, which (regulations) shall be binding on the trading communities of both countries.

German merchants shall not be at liberty to construct landing places merchants' houses, or warehouses at the above port.

§ 2. The feasibility of establishing Bonded Warehouses at the open ports of China shall first be tried at Shanghai. For this purpose the Superintendent of Customs at that port with the

(spector General of Customs will draw up
regulations adapted to local requirements, and
the said Superintendent of Customs with his
colleagues shall then proceed with the construction
of the warehouse.

§ 3. If any goods found on board a German
vessel, for which a written Customs "permit to land"
is necessary, are not entered in the (ship's) manifest,
this fact shall be considered as constituting the issue
of a false manifest, whether there be or be not any
certificate, signed by the master, as to the receipt on
board of such goods.

§ 4. If a German vessel be in need of repairs
in consequence of damage suffered either in or
outside (the harbour of) an open port of China
the time occupied in such repairs shall be taken
into account in considering the period after which
Tonnage-dues have to be paid. The Chinese authorities
have the right to make the requisite settlements in
this respect. Should it, however, appear that only
a pretext is sought and that it is intended to avoid
payment of the legal Customs dues, the ship in question
shall be subjected to a fine equivalent to twice the
amount of Tonnage-dues sought to be avoided.

§ 5. Vessels of all descriptions belonging to
Chinese subjects shall not sail under German colours.
If there be however precise grounds for the suspicion
that such a case has occurred, the Chinese
authority interested will communicate the fact

officially to the German Consul and should it appear from the investigation consequently undertaken that the vessel in question is in fact not entitled to fly the German flag, the vessel with the goods found on board, in so far as belonging to Chinese merchants, shall be immediately handed over to the Chinese authorities for further disposal.*
Should it appear that German subjects were aware of the circumstances and participated in the commission of this irregularity, all goods belonging to them found on board shall be confiscated and they themselves subjected to the legal penalty.

In the case of a German vessel unauthorisedly flying the Chinese flag, should it appear from the investigation held by the Chinese authorities that the vessel was as a matter of fact not entitled to fly the Chinese flag, the vessel with the goods found on board, in so far as these (may) belong to German merchants, shall be immediately handed over to the German Consul for further disposal and punishment of the offenders. If it appears that German owners of goods had knowledge of the fact and participated in the commission of the irregularity, all goods belonging to them found on board shall be forfeited to the Chinese authorities. Goods belonging to Chinese may be immediately confiscated by the Chinese authorities.

* or, shall be handed over to the Chinese authorities who will deal with them as may be further necessary.

§ 6. If at the sale of the broken up materials of an unseaworthy German vessel in one of the open ports of China it is attempted to pass off with the materials goods forming part of the cargo of the vessel these goods shall be confiscated; and in addition a fine shall be imposed equivalent to twice the amount of import duty which would otherwise have had to be paid.

§ 7. The certificates and passports issued to German subjects proceeding inland with foreign merchandise or undertaking journies into the interior of the country, shall only be valid for thirteen Chinese months from the date of the day of issue, and may not be used at the expiration of this period. Passports and certificates which have expired must be returned for the purpose of cancellation to the Customs authority in whose district they were issued.

Note. If a pleasure journey is undertaken to such remote regions that the period of one year appears insufficient, this must be noted on the passport at the time of issue, on the basis of an understanding between the Consul and the Chinese Authority.

No further passport shall be granted to any individual till the return of the one originally issued. If lost, whether before or after the expiration of the period (for which it was issued) the individual concerned shall immediately notify the fact in a truthful declaration to the nearest Chinese authority, who will then take the necessary steps

steps for the cancellation of the passport.

Should the declaration be found to be untrue, if (the passport was issued) for the transport of goods these will be confiscated, if for a journey the traveller will be brought to the nearest Consul and handed over to him for punishment.

§ 8. Materials for German Docks imported to the open ports of China only enjoy immunity from duty in so far as they are actually employed for repairing vessels. The Customs authorities have the right to convince themselves of the use to which these materials are put by the ocular evidence of officials to be sent into the Dock for this purpose. In the case of newly-built vessels the materials used, if actually in the Export or Import Tariff, shall pay duty according to Tariff, but on those articles not entered in the Tariff there will be levied a duty of 5% ad valorem, which the merchant interested shall afterwards pay to the Customs.

Any person wishing to open a Dock must procure from the Customs office a certificate of Concession which will be issued gratis, and sign a written engagement the substance and wording of which shall be fixed by the Customs office in question in suitable form.

§ 9. Article 29 of the Treaty of 2nd Sept. 1861, shall be supplied as regards the fines fixed by the present Supplementary Convention.

Done at Peking, the 31st March in the year of Our Lord one thousand eight hundred and eighty, corresponding to the twenty-first day of the second month of the sixth year (of the reign) of Kuang Hsü.

(Signed) M. von Brandt. (Sig) Shên-kuo-fan

(Sig) Ching Lien.

Despatch No. 682.

Inclosure 2.

ZUSATZ-CONVENTION.

Seine Majestæt der Deutsche Kaiser, Kœnig von Preussen u. s. w. im Namen des Deutschen Reichs und Seine Majestæt der Kaiser von China, von dem Wunsche geleitet, die bessere Ausfuehrung des am 2ten September 1861 abgeschlossenen Freundschafts=Schiffahrts,=und Handels=Vertrages zu sichern, haben in Ausfuehrung der in dem 41sten Artikel dieses Vertrages enthaltenen Bestimmung, nach welcher die hohen contrahirenden Deutschen Staaten das Recht haben sollen, nach Ablauf von Zehn Jahren eine Revision des Vertrages zu verlangen, beschlossen, eine Zusatz-Convention zu diesem Vertrage abzuschliessen.

Zu diesem Ende haben Sie zu Ihren Bevollmæchtigten ernannt, næmlich:

Seine Majestæt der Deutsche Kaiser, Kœnig von Preussen u. s. w. Allerhœchstihren Ausserordentlichen Gesandten und Bevollmæchtigten Minister bei Seiner Majestæt dem Kaiser von China:

Max August Scipio von Brandt

Und Seine Majestæt der Kaiser von China die Minister des Tsungli Yamen:

Den Staatssecretair, Assistierendes Mitglied des Grossen Secretariats und Præsidenten im Kriegs-Ministerium, Shên-kué-fên, und

Den Staatssecretair und Præsidenten im Finanz-Ministerium, Ching Lien,

welche nachdem sie ihre Vollmachten sich mitgetheilt und

solche in guter und gehœriger Form befunden haben, ueber nachstehende Artikel uebereingekommen sind.

ARTIKEL 1.

CHINESISCHES ZUGESTÆNDNISS.

Nachdem die Hæfen I-ch'ang in Hupei, Wuhu in Anhui, Wenchow in Chekiang und Pakhoi in Kwangtung und die Landungsplætze Tatung und Anking in Anhui, Hukou in Kiangsi, Wusueh, Luchikou und Shashih in Hukuang, bereits fruehrer geœffnet worden sind, soll es ferner auch im Hafen Wusung in der Provinz Kiangsu Deutschen Schiffen gestattet sein, zeitweilig anzuhalten, um Kaufmannsgueter einzunehmen oder abzuladen. Es sollen zu diesem Zweck die nœthigen Reglements von dem Tautai von Shanghai und sonstigen competenten Behœrden ausgearbeitet werden.

Deutsches Zugestændniss.

Falls mit Zugestændnissen, welche die Chinesische Regierung einer andern Regierung macht, besondere vereinbarte Ausfuehrungsbestimmungen verbunden sind, so wird Deutschland, indem es fuer sich und seine Staatsangehœrigen diese Zugestændnisse in Anshpruc nimmt, auch den mit denselben verbundenen Ausfuehrungsbestimmungen seine Zustimmung geben.

Artikel 40 des Vertrages vom 2ten September 1861 wird durch diese Bestimmung nicht beruehrt und hiermit ausdruecklich bestætigt. Nehmen auf Grund desselben Reichsangehœrige Privilegien, Freiheiten oder Vortheile in Anspruch, welche von der Chinesischen Regierung einer anderen Regierung oder den Unterthanen

irgend einer anderen Nation noch gewæhrt werden mœgen, so werden dieselben sich auch den vereinbarten Ausfuehrungsbestimmungen unterwerfen.

ARTIKEL 2.

CHINESISCHES ZUGESTÆNDNISS.

Deutsche Schiffe, welche in China bereits die Tonnengelder bezahlt haben, sollen alle uebrigen geœffneten Hæfen China's, sowie auch alle nicht chinesischen Hæfen ohne Ausnahme besuchen duerfen, ohne innerhalb der viermonatlichen Frist von Neuem Tonnengelder bezahlen zu muessen. —

Deutsche Segelschiffe, welche længer als vierzehn Tage in einem chinesischen Hæfen liegen, sollen fuer die ueber diesen Termin hinausgehende Zeit nur die Hælfte der vertragsmæssigen Tonnengelder entrichten.

Deutsches Zugestændniss.

An allen denjenigen Orten in Deutschland, an welchen Consuln anderer Mæchte zugelassen sind, soll auch die Chinesische Regierung das Recht haben, Consuln zu ernennen, welche dieselben Rechte und Vortheile geniessen sollen, wie die Consuln der meistbeguenstigten Nation.

ARTIKEL 3.

CHINESISCHES ZUGESTÆNDNISS.

In allen geœffneten Hæfen China's, wo der fremde Handelsstand es fuer wuenschenswerth hælt und die lokalen Verhæltnisse es

thunlich erscheinen lassen, sollen der chinesische Zolldirector und die uebrigen in Betracht kommenden Behœrden, unter gleichzeitiger Ausarbeitung der erforderlichen Regulationen, die Errichtung von Entrepots selber in Angriff nehmen.

Deutsches Zugestændniss.

Deutsche Schiffe, welche die geœffneten Hæfen China's besuchen, muessen ein Manifest einreichen, welches genaue Angaben ueber Qualitæt und Quantitæt der Waaren enthælt. Irrthuemer, welche sich darin eingeschlichen haben, duerfen im Lauf von vierundzwanzig Stunden (Sonn=und Festtage nicht mit eingerechnet) verbessert werden. Falsche Angaben ueber die Quantitæt oder Qualitæt der verladenen Waaren werden durch Confiskation der betreffenden Waaren und ausserdem durch eine dem Capitain aufzuerlegende Geldbusse bestraft, welche letzere jedoch den Betrag von fuenfhundert Taels nicht uebersteigen darf.

ARTIKEL 4.

CHINESISCHES ZUGESTÆNDNISS.

Fuer Kohlen Chinesischer Herkunft, webche von Deutschen Kaufleuten aus geœffneten Hæfen exportirt werden, wird hiermit der Ausfuhrzoll auf drei (3) Mace fuer die Tonne herabgesetzt; fuer die von denjenigen Hæfen ausgefuehrten Kohlen, fuer welche bereits frueher ein niedrigerer Zoll festgesetzt worden ist, bleibt jedoch dieser niedrigere Satz bestehen.

Deutsches Zugestændniss,

Wenn Iemand, ohne im Besitz der vorschriftsmæssigen Beschei-

nigung zu sein, fuer irgend eine Art von Schiffen das Lootsengewerbe betreibt, so soll er in eine Geldstrafe genommen werden, welche fuer jeden einzelnen Fall einhundert Tæls nicht uebersteigen darf.

Auch sollen mit mœglichster Beschleunigung Regulationen behufs Ausuebung einer gehœrigen Controlle ueber Matrosen vereinbart werden.

ARTIKEL 5.

CHINESISCHES ZUGESTÆNDNISS.

Deutsche Schiffe, welche in Folge von im Hafen oder ausserhalb desselben erlittenen Beschædigungen reperaturbeduerftig geworden sind, sollen fuer die, von dem Zollamt festzustellende, durch die Reparatur in Anspruch genommene Zeit keine Tonnengelder zu bezahlen haben.

Deutsches Zugestændniss.

Chinesen gehœrige Schiffe duerfen sich nicht der Deutschen Flagge bedienen. Ebensowenig duerfen Deutsche Schiffe sich der Chinesischen Flagge bedienen.

ARTIKEL 6.

CHINESISCHES ZUGESTÆNDNISS.

Falls seeuntuechtig gewordene Deutsche Schiffe in einem geœffneten Hafen China's abgebrochen werden, so kann das Material derselben verkauft werden, ohne dass davon Eingangszoll erhoben

wird. Iedoch ist, sobald die Materialien an Land gebracht werden sollen, fuer dieselben in gleicher Weise, wie dies fuer die Waaren geschieht, auf dem Zollamt ein « Erlaubnissschein zum Abladen » vorher zu entnehmen.

Deutsches Zugestændniss.

Wenn sich Deutsche Staatsangehœrige, ohne im Besitz eines vom Consul ausgestellten und von der zustændigen Chinesischen Behœrde abgestempelten Passes zu sein, zu Vergnuegungsreisen in das Innere begeben, so steht den betreffenden Lokalbehœrden das Recht zu, sie nach dem næchsten Deutschen Consulate behufs Ausuebung der erforderlichen Aufsicht ueber dieselben zurueckfuehren zu lassen. Die Uebertreter sollen ausserdem einer Geldstrafe bis zur Hœhe von dreihundert Taels unterliegen.

ARTIKEL 7.

CHINESISCHES ZUGESTÆNDNISS.

Materialien fuer Deutsche Docks sind zollfrei. Eine Liste derjenigen Gegenstænde, welche auf Grund dieser Bestimmung zollfrei eingefuehrt werden kœnnen, ist von dem General-Zoll-Inspector auszuarbeiten und zu verœffentlichen.

Deutsches Zugestændniss.

Fuer Deutsche Staatsangehœrige ausgestellte Inlandspæsse fuer Waaren fremder Herkunft, sowie auch fuer Deutsche Staatsangehœrige ausgestellte Reisepæsse sollen nur fuer die Dauer von dreizehn chinesischen Monaten, vom Tage der Ausstellung an gerechnet, Gueltigkeit haben.

ARTIKEL 8.

Die Erledigung der, die Ausuebung der Gerichtsbarkeit in gemischten Fællen, die Besteuerung fremder Waaren im Inlande, die Besteuerung chinesischer Waaren im Besitz fremder Kaufleute im Inlande, und die Beziehungen zwischen fremden und chinesischen Beamten betreffenden Fragen, bleibt besonderen Verhandlungen vorbehalten, in welche einzutreten, die beiderseitigen Regierungen sich hierdurch bereit erklæren.

ARTIKEL 9.

Alle Bestimmungen des frueheren Vertrages vom 2ten September 1861, welche durch dieses Abkommen nicht abgeændert worden sind, werden, wie beide Theile ausdruecklich erklæren, hiermit von Neuem bestætigt. Bei solchen Artikeln dagegen, welch durche das gegenwærtige Abkommen beruehrt werden, soll die abgeænderte Fassung als massgebend angesehen werden.

ARTIKEL 10.

Die gegenwærtige Zusatz—Convention soll beiderseits Allerhœchst ratificirt, und die Ratifications—Urkunden innerhalb eines Iahres nach dem Tage der Untezeichnung in Peking ausgetauscht werden. Die Bestimmungen dieses Uebereinkommens treten mit dem Tage des Austausches der Ratificationen in Wirksamkeit.

Zu Urkunde dessen haben die Bevollmæchtigten der beiden Hohen contrahirenden Theile obiges Uebereinkommen in je vier Exemplaren des Deutschen und Chinesischen Textes, welche mit einander verglichen und uebereinstimmend gefunden worden sind,

eigenhændig unterzeichnet und demselben ihre Siegel beigedrueckt.

So geschehen zu Peking, den ein und dreissigsten Mærz im Iahre unseres Herrn Ein Tausend Acht Hundert und Achtzig, entsprechend dem einundzwanzigsten Tage des Zweiten Monats des Sechsten Iahres Kuangsü.

(gez.) : *M. von. BRANDT.* (gez.) : *Shên-kué-fên.*

(gez.) : *Ching-Lien.*

SPEZIAL BESTIMMUNGEN

ZU DER

ZUSATZ-CONVENTION

Im Interesse grœsserer Deutlichkeit und Vollstændigkeit ist es angemessen erschienen, die Zusatz-Convention durch eine Anzahl von Spezial-Bestimmungen zu ergænzen.

Die nachstehenden Bestimmungen muessen von den Unterthanen der beiden contrahirenden Theile in derselben Weise wie die Bestimmungen des Vertrages selber befolgt werden. Zum Beweise dessen haben die Bevollmæchtigten beider Staaten ihre Siegel und Unterschriften darunter gesetzt.

§. 1. Zufolge der fuer den Hafen von Wusung in der Provinz Kiangsu neu gewæhrten Freiheiten soll es Deutschen Schiffen daselbst freistehen, Kaufmannsgueter, welche entweder fuer Shanghai bestimmt sind oder von Shanghai kommen, einzunehmen und abzuladen. Dem Handels-Tautai in Shanghai und den sonstigen competenten Behœrden daselbst soll das Recht zustehen, zu diesem Zweck Regulationen behufs Verhinderung von Steuer Defraudationen und Ungehœrigkeiten jeder Art zu entwerfen, welche fuer

eigenhændig unterzeichnet und demselben ihre Siegel beigedrueckt.

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den Handelsstand beider Lænder bindend sein sollen. Es steht Deutschen Kaufleuten nicht frei, an dem genannten Orte Landungsstellen fuer Schiffe, Kaufmannshæuser oder Waarenlager zu errichten.

§ 2. Ein Versuch, ob Entrepots in den geœffneten Chinesischen Hæfen errichtet werden kœnnen, soll zunæchst in Shanghai gemacht werden. Zu diesem Zweck soll der Zolldirector an genanntem Orte alsbald mit dem General-Zoll-Inspector den Ortsverhæltnissen angemessene Regulationen ausarbeiten, und soll dann die Errichtung dieses Entrepots von dem genannten Zoll-Director und Collegen in Angriff genommen werden.

§ 3. Wenn irgend welche an Bord eines Deutschen Schiffes befindliche Waaren, fuer deren Lœschung eine schriftliche Erlaubniss des Zollamtes erforderlich ist, auf dem Manifeste nicht angegeben sind, so soll hierdurch das Versehen eines falschen Manifestes als constatirt gelten, gleichviel ob eine die Unterschrift des Capitains tragende Bescheinigung ueber an-Bord-Nahme dieser Waaren vorhanden ist oder nicht.

§ 4. Wenn ein Deutsches Schiff in Folge von Beschædigungen, welche es in einem der geœffneten Chinesischen Hæfen oder ausserhalb desselben erlitten hat reparaturbeduerftig geworden ist, so soll die durch die Reparatur in Anspruch genommene Zeit bei der Frist, nach deren Ablauf Tonnengelder zu bezahlen sind, in Anrechnung gebracht werden. Den Chinesischen Behœrden steht das Recht zu, in dieser Beziehung die erforderlichen Feststellungen vorzunehmen.

Zeigt es sich jedoch hierbei, dass es sich nur um einen Vorwand und um die Absicht handelte, gesetzmæssige Zahlungen an die Zollkasse zu umgehen, so soll das betreffende Schiff in eine dem

doppelten Betrage der Tonnengelder, deren Entrichtung es zu umgehen gesucht hat, entsprechende Geldstrafe genommen werden.

§ 5. Schiffe aller Art, welche Chinesischen Unterthanen gehœren, duerfen sich nicht der Deutschen Flagge bedienen. Liegen bestimmte Verdachtsgruende vor, dass dies dennoch geschehen ist, so wird die betreffende Chinesische Behœrde an den Deutschen Consul eine amtliche Mittheilung darueber richten, und stellt sich bei der in Folge dessen eingeleiteten Untersuchung herraus, dass das Schiff in der That nicht zur Fuehrung der deutschen Flagge berechtigt gewesen ist, so sollen das Schiff, sowie auch die darauf vorgefundenen Waaren, soweit dieselben Chinesischen Kaufleuten gehœren, sofort den Chinesischen Behœrden zur weiteren Veranlassung ausgeliefert werden. Zeigt es sich, dass deutsche Staatsangehœrige von dem Sachverhalt Kenntniss und an der Ausuebung dieser Ungehœrigkeit Theil gehabt haben, so verfallen die auf dem Schiffe vorgefundenen ihnen gehœrigen Waaren sæmmtlich der Confiscation, sie selber aber der gesetzmæssigen Strafe.

Falls ein Deutsches Schiff unberechtigter Weise die Chinesische Flagge fuehrt, so soll, falls die von den Chinesischen Behœrden gefuehrte Untersuchung feststellt, dass das Schiff in der That nicht zur Fuehrung der Chinesischen Flagge berechtigt gewesen ist, das Schiff sowie die darauf vorgefundenen Waaren, soweit dieselben Deutschen Kaufleuten gehœren sofort dem Deutschen Consul zur weiteren Veranlassung und Bestrafung der Schuldigen ausgeliefert werden. Zeigt es sich, dass Deutsche Waareneigenthuemer von dem Sachverhalt Kenntniss und an der Ausfuehrung dieser Ungehœrigkeit Theil gehabt haben, so verfallen die auf dem Schiffe vorgefundenen, ihnen gehœrigen Waaren sæmmtlich der Confiscation Seitens der Chinesischen Behœrden. Die Chinesen gehœrigen

Waaren kœnnen von den Chinesischen Behœrden sofort mit Beschlag belegt werden.

§ 6. Wenn bei dem Verkauf des abgebrochenen Materials eines seeuntuechtig gewordenen Deutschen Schiffes in einem der geœffneten Chinesischen Hæfen der Versuch gemacht wird, zu der Ladung desselben gehœrige Waaren mit unterzuschieben, so sollen diese Waaren der Confiscation unterliegen und ausserdem eine dem doppeltene Betrage des Eingangszolles, welcher sonst zu entrichten gewesen sein wuerde, entsprechende Strafe erhoben werden.

§ 7. Wenn Deutsche Staatsangehœrige mit fremden Waaren ins Inland gehen oder Reisen in das Innere des Landes unternehmen, so sollen die ihnen ausgestellten Paesse oder Bescheinigungen nur eine Gueltigkeit von dreizehn chinesischen Monaten, von dem Tage der Austellung an gerechnet, haben und nach Ablauf dieser Frist nicht mehr benutzt werden duerfen. Die abgelaufenen Paesse und Bescheinigungen muessen behufs Cassirung an diejenige Zollbehœrde in deren Amtsbezirk sie ausgestellt worden sind zurueckgegeben werden.

Bem.: Wird eine Vergnuegungsreise in so weite Gegenden unternommen, dass eine einjæhrige Frist nicht ausreichend erscheint, so muss dies zu der Zeit, wo der Pass ausgestellt wird, auf Grund einer Verstændigung zwischen dem Consul und der Chinesischen Behœrde, auf demselben bemerkt werden.

Unterbleibt die Rueckgabe, so soll dem Betreffenden, bis dieselbe erfolgt ist, kein Pass wieder ausgestellt werden. Geht der Pass verloren, so muss der Betreffende, gleichviel ob dies innerhalb der Frist oder nach Ablauf derselben geschehen, alsbald bei der næchsten Chinesischen Behœrde eine wahrheitsgemaesse Aussage da-

rueber zu Protokoll geben. Der betreffende Chinesische Beamte wird dann das Weitere, die Ausserkraftsetzung des Passes betreffend, veranlassen. Stellt sich die zu Protokoll gegebene Aussage als unwahr herraus, so werden, falls es sich um den Transport von Waaren handelt, die Waaren confiscirt, falls es sich dagegen um eine Reise handelt, so wird der Reisende zu dem næchsten Consul gefuehrt und diesem behufs Bestrafung uebergeben werden.

§ 8. Materialien fuer Deutsche Docks geniessen nur, insofern sie wirklich fuer die Reparatur von Schiffen zur Verwendung kommen, die Verguenstigung der zollfreien Einfuehrung in geœffnete Hæfen. Der Zollbehœrde steht das Recht zu, sich durch zu diesem Zweck in das Dock entsandte Beamte von der Art und Weise der Verwendung dieser Materialien durch den Augenschein zu ueberzeugen. Handelt es sich um den Neubau eines Schiffes, so wird fuer die darauf verwandten Materialien, insofern dieselben in dem Import-oder Export-Tarif namentlich aufgefuehrt sind der tarifmæssige Zoll, fuer die im Tarif nicht aufgefuehrten Gegenstænde aber ein Zoll von fuenf pro Cent. ad valorem berechnet, und der betreffende Kaufmann angehalten werden, diesen Zoll nachtræglich an das Zollamt zu entrichten.

Wer ein Dock anlegen will, hat bei dem Zollamt einen kostenfreien Concessionsschein zu entnehmen und eine schriftliche Verpflichtung zu unterzeichnen, deren Inhalt und Wortlaut von dem betreffenden Zollamte in geeigneter Form festzustellen ist.

§ 9. Auf die durch die gegenwærtige *Zusatz-Convention* festgesetzten Geldstrafen soll der Artikel 29 des Vertrages vom 2ten September 1861 Anwendung finden.

So geschehen zu Peking den ein und dreissigsten Maerz im Iahre unseres Herrn Eintausend Acht hundert und Achtzig,

entsprechend dem einundzwanzigsten Tage des zweiten Monats des sechsten Iahres Kuangsue.

(gez.) *M. von BRANDT.* (gez.) *Shên-kuèn-fên.*

(gez) *Ching-Lien.*

Call attention to the fact that the despatch is not signed
Did so. July 6. 1880. C. P.
Mr Crider made

No. 683.

Legation of the United States.

Peking, May 8th, 1880.

George F. Seward to

the Secretary of State.—

Subject.

Kuldja, and the case of Chung how.

Synopsis.

Nothing special has transpired since date of last despatch. Other foreign Representatives instructed to sustain the protest of February last, and British Minister authorized to make a personal appeal on behalf of the Queen. Certain preparations for war

war being made by China and Russia. Trade unfavorably affected.

No. 683.

Legation of the United States.

Peking, May 8th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Nothing has transpired here in regard to the Kuldja case and the Ichung how matter since I last addressed you which throws light upon the future course of either. It is believed that the instructions to the Marquis Tseng at London for the conduct of further negotiations at St Petersburgh have been prepared and sent forward, and that the Russian

Government

Government, secure in its tenure of the disputed territory, will make no move whatever until he arrives and has stated his case. The impression prevails among the Chinese that Ching hou's fate will depend upon the course of these negotiations, but whether their success or failure will be favorable to him does not appear clear.

Ching hou is credited with having expressed appreciation of the efforts made in his behalf by the foreign Representatives, and the Viceroy at Tientsin is reported as saying that the reprieve until December has been largely due to them.

I am informed that several

of

of the foreign Representatives not resident at Peking, to wit, the Austro-Hungarian, Belgian, Italian, & Netherlands, and Spanish, received instructions some time since by telegraph to sustain the protest against Chunghow's treatment presented by the Representatives on the spot.

The British Minister has been instructed by telegraph to make a personal appeal for & Chunghow, on behalf of the & Queen, in case he thinks it & would be productive of good.

The story lately put afloat in England, and which will & doubtless go the rounds of the & newspapers the world over, that

Chunghow

Ching Hou was bribed by the
Russian Government, is not
sustained by any facts or
considerations whatever which
seem to the foreign Representatives
here worthy of a moments credence.
It is very unjust to him and
unjust to the Russian Government
to make such statements, and they
may be dismissed entirely since
the Chinese Government has not
advanced such a charge directly
or indirectly, so far as we know
during the course of proceedings
against the Minister. The charge,
moreover, is inconsistent with
our knowledge of Ching Hous
character, antecedents, and purposes
in life.

various

Various preparations for war are being made by China. Two ironclads are said to have been purchased in England, and six small war vessels to have been ordered. Arms have also been ordered from Europe and America. A great deal of activity prevails in the arsenals, and some troops are being moved with a view to eventualities.

Russia, on the other hand, is said to be strengthening her forces in Kuldja, and along the Manchurian frontier, and her fleet in Chinese waters.

Notwithstanding all the indications thus reported, and all the feeling which has been shown,

I

I do not consider the situation critical. This Government is very slow in taking up any grave responsibility, and the very men who joined with alacrity in the cry against China now will pause before they precipitate a war that might result, as they well know, disastrously for China, and very disastrously for the Reigning dynasty and those whose fortunes are bound up with it.

It may be considered certain that the Russian Government will act with perfect poise and judgment, and that it will either avoid a war, or, if it embarks in one, will

will so direct it that the result will be a further and very material alteration of boundaries. I believe that Russia desires peace and good neighborhood with China, but she desires also a seaboard, and her aspirations in the direction of the Mediterranean may not be without parallel in this part of the world. The Manchurian district, extending from the Amoor to the Gulf of Pechili, rich in products of the soil and mineral resources, a region fit for an empire, and which on more than one occasion has dominated China, would be a most tempting inducement for a campaign in that quarter.

Meanwhile

Meanwhile the war preparations of China form still another occasion for the continuance of taxation to the detriment of foreign and native interests, and the neutral commercial Powers have every reason to desire that the uncertainties of the situation may be ended soon.

I have the honor to be,

Sir,

Your obedient servant.

Ack. 6. P. Made

No. 684. Two Enclosures.

Legation of the United States.
Peking, May 8th, 1880.

George F. Seward to
the Secretary of State.

Subject.

Attack upon Mr. Sites at Yenping Fu.

Synopsis.

No action taken by local officials up to April 17th, as shown by later advices from Mr. de Lano. Has addressed Prince Kung and Mr. de Lano again, pointing out to the former that the inaction of his officers amounts to a denial of justice.

1880

No. 684. Two Enclosures.

Legation of the United States.

Peking, May 8th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my several despatches in regard to the attack upon the Reverend Mr. Sites at Yenping fu, and especially to my number 671. of the 29th ultimo, I have the honor to inform you that I have received a later letter from Mr. Hle Lang, bearing date April 17th, and forwarding copies of further correspondence which has passed between him and

and the Provincial Authorities.

As this correspondence indicated that up to the date mentioned no positive measures had been taken for the settlement of the case at issue,

1/684. I have addressed myself again to Prince Kung pointing out that the inaction of his officers amounts to a practical denial of justice, and asking that further and more stringent instructions be issued.

I have furnished Hon.

2/684. Mr. Hle Lano with a copy of my letter to Prince Kung, asking him at the same time to send a copy of his later despatch with its enclosures to the Department.

Requesting

Requesting your approval of my course.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Hon. Seward to Prince Kung. No. 35/1880. May 4th, 1880.
2. Hon. Seward to Hon. Mr. Low No. 121. April 30th, 1880.

Despatch No. 684.
Enclosure 1.

Mr. Seward to Prince Kung.
35/1880 May 4th, 1880.

Y. I. H.

I had the honor to address to Y. I. H. on the 29th instant a letter in regard to the assault upon Mr. Rites at Yenping foo in Fookien. With that letter I transmitted to you a correspondence which has passed between the United States Consul at Foochow and the provincial Authorities in regard to the circumstances of the case and the measures which should be taken for its settlement

I am now in receipt of a further report from the Consul dated the 17th of April. It appears from this letter that not one of the assailants of my countryman has been produced at Foochow, and that only two arrests have been made at Yenping. He has sent to me with his letter the further correspondence which

has

has passed between him and the local Authorities. I inclose copies of this correspondence from which you will see how far this business is from a settlement and how much reason we have to complain that the action of the provincial authorities or rather their inaction amounts practically to a denial of justice.

I feel it my duty to say to Y. A. H. that my Government cannot fail to be dissatisfied with the condition of this business both because justice is not done in the given case and because the failure of the provincial authorities is such that the treaty rights of our people ~~is~~ are practically set aside in the cities of Yentsing and Kiensing

Recognizing the earnest desire of Y. A. H. and of the members of the Tsungli Yamen that all affairs shall be ~~so~~ conducted as to leave no reasonable ground of complaint I have now to ask that further

and

and more stringent instructions be sent at once to the Tookien Authorities

I have the honor &c.

(signed) George F. Seward.

Despatch No. 684.
Enclosure 2.

Mr. Seward to Mr. De Long.
No. 121. April 30th, 1880.

Sir:-

I beg leave to acknowledge the receipt of your despatch of the 17th instant, No. 161. in regard to the attack on Mr. Giles at Yen Ping in December last.

You will have learned from my previous despatches that I approve your position and action in this case, excepting that I do not think that the claim of a right to reside in the interior can be based on Art. XII. of the British Treaty of Tientsin, and that I have done what I could to strengthen your hands in your efforts to have justice done. In this connection I beg leave to hand to you herewith a copy of a despatch which I am today addressing to the Tsung-li-Yamen.

I am quite aware that one of my predecessors in this office (was

was disposed to encourage the proposition that the favored nation clause may be quoted in support of the claim sometimes advanced that our missionaries have a right to reside at inland points. My own view accords however with the more recent instructions of the Department of State, and while it is without the lines of a sound interpretation of the Treaties, is calculated, as I believe to secure the best results for all concerned,

I am not aware what instructions you refer to in regard to sending up copies of your correspondence. You will have seen, as I believe, that apart from the question as to the right of the Legation to be fully informed of all cases of international concern, it is very difficult to give to a local officer well directed support in the absence of the most complete information as to

omit

the

the facts of given cases and his efforts to secure justice.

Will you be so good as to send copies of your despatch and its inclosures to the State Department. A copy of this note and of my note to Prince Kung will go forward by the next mail.

I am, Sir, &c. &c.

(signed) George F. Seward.

Mint

Aside by Telegraph
May 17. 1880.
Mr Evarts

Telegram

Legation of the U.S.-China

Evarts,

Secretary,

Washington.

When will Angell sail.

Seward

Shanghai

Received May 12, 1880.

No. 685. One Enclosure.

Legation of the United States.

Peking, May 12th 1880.

DEPARTMENT OF STATE
JUL 13 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Forwards a duplicate of this account for the quarter ended March 31st, 1880.

No. 685. One Enclosure.

Legation of the United States.

Peking, May 12th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to my despatch, number 680, which covered a statement of the rent account of this Legation for the quarter ended March 31st, 1880, I now have the honor to enclose a duplicate statement herewith. 4/685.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward.

Enclosure.

Enclosure.

1. Duplicate statement of the Legation rent account for the quarter ended March 31st, 1880.

No. 686. One Enclosure.

Legation of the United States.

Peking, May 13th, 1880.

George F. Seward

to

the Secretary of State.

Subject.

Incidental expense account.

Synopsis.

Forwards statement of this account for the quarter ended March 31st, 1880.

No. 686. One Enclosure.

Legation of the United States.

Peking, May 13th, 1880.

Honorable, William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you herewith a statement of the account for incidental expenses of this Legation for the quarter ended March 31st, 1880. A duplicate will be sent by the following mail. 1686.

No draft has yet been drawn against the amount expended as shown in the statement.

I

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Ewald.

Enclosure.

1. Statement of incidental expense account for the quarter ended March 31st, 1880.

China

Made
in Morgan

3

Washington
18. May 1880

Hon:

Wm. M. Evarts
Sec: State

Sir

I have the honor to acknowledge receipt of communication of May 17. 1880 (No 2) containing instructions and an advance of One thousand dollars

Respectfully

Wm Henry Trescot
U. S. Commissioner
to China —

Files.

Legation of the U.S.—China

No. 58 1120

HALF RATE MESSAGES.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions, limiting its liability, which have been assented to by the sender of the following message.
Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages.
This message is an UNREPEATED MESSAGE and is delivered by request of the sender under the conditions named above.

A. R. BREWER, Sec'y. 3 37 NORVIN GREEN, President

Dated Ann Arbor Mich May 19 1880

Received at

To Hon William M Evarts

WDC

Must go Via Providence perhaps cannot arrive until Wednesday Morning

J B Angell

10 paid yr off

READ THE NOTICE AT THE TOP.

No. 687.

Legation of the United States.

Peking, May 20th, 1880.

George F. Seward to the Secretary of State.

Subject.

Customs Gazette.

Synopsis.

Forwards two copies of No. XLV. January–March, 1880.

No. 687.

Legation of the United States.

Peking, May 20th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to hand to you, under separate cover, two copies of the "Customs Gazette, "No. XLV.—January-March, 1880", as published by order of the Inspector General of Chinese Maritime Customs.

I have the honor to be,

Sir,

Your obedient servant.

Wm. F. Keach

Telegram

Legation of the U.S.- China

Providence, R. I.
May 7th, 1880.

Hon Wm M. Evarts

Washington D.C.

Unavoidable business
detention. Will reach two thousand
eight "G" street Tuesday evening.

James B. Angell

No. 688. One Enclosure.

DEPARTMENT OF STATE
JUL 13 1880
RECEIVED

Legation of the United States.
Peking, May 24th, 1880.

George F. Seward to
the Secretary of State.

Subject.

Incidental expense account.

Synopsis.

Refers to despatch number 686, and forwards a duplicate statement for the quarter ended March 31st, 1880.

No. 688. One Enclosure.

Legation of the United States.

Peking, May 24th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my despatch number 686. of the 13th instant, I have now the honor to hand to you, herewith, a duplicate statement of the incidental expense account of this Legation for the quarter ended March 31st, 1880. No. 688

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

Enclosure.

1. Duplicate statement of account for incidental expenses for the quarter ended March 31st, 1880.

Made

No. 689. One Enclosure.

DEPARTMENT OF STATE
JUL 13 1880
RECEIVED

Legation of the United States.

Peking, May 24th, 1880.

George F. Seward to the Secretary of State.

Subject.

Forwards marriage certificate

Synopsis.

Forwards certificate of the marriage of Chauncey Goodrich and Sarah B. Clapp.

Wat

No. 689. One Enclosure.

Legation of the United States.

Peking, May 24th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

In accordance with the requirements of Paragraph 276. of the Consular Regulations, I have the honor to hand to 1/689
you herewith one copy of a certificate of marriage for record in the Department.

I have the honor to be,

Sir,

Your obedient servant

Geo. F. Seward

Enclosure.

Enclosure.

1. Marriage certificate.

Despatch No. 689.

No. _____ Enclosure.

Legation of the United States,

Peking, May 13th, 1880

I, Chester Holcombe, Secretary of the Legation of the United States at Peking, do hereby certify that, on this 13th day of May A. D. 1880, at the residence of Henry Blodget in the city of Peking, Chauncey Goodrich, aged 43 years, born in Massachusetts and now residing in Tungchow, China: and Sarah Broadman Clapp, aged 24 years, born in Wisconsin and now residing in Kalgan, China, were united in marriage before me, and in my presence by Reverend Henry Blodget, D. D. who is authorized by the laws of the District of Columbia to perform such a ceremony.

In witness whereof I have hereto subscribed my name and affixed the seal of the Legation at

at Peking, this 13th day of
May. A. D. 1880, and
of the Independence of
the United States the 104th
Chester Holcombe
Secretary of Legation.

No. 690.

Legation of the United States.

Peking, May 24th, 1880.

George F. Seward to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 347. to 357. inclusive have been received.

No. 690.

Legation of the United States.

Peking, May 24th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have had the honor to receive your instructions numbered respectively 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. and 357.

In accordance with the wish expressed in your number 357. I have given the number 355. to your instruction of March 27th, and I have also given the number 353. to a second unnumbered instruction

instruction dated March 20th in acknowledgment of my despatch number 546.

I have the honor to be,

Sir,

Your obedient servant.

George F. Hoar

Ack's as directed July 14. 1880. Mr Cridler

Ack & express satisfaction at the apparent good intentions of the Chinese authorities in this affair. made

C. P

No. 691. One Enclosure.

Legation of the United States.

Peking, May 25th, 1880.

George F. Seward to the Secretary of State.

Subject.

Attack upon Mr. Sites at Yenping foo.

Synopsis.

Refers to Mr. Sewards despatches, numbers 671 and 684. and encloses a letter received from Prince Kung.

No. 691. One Enclosure.

Legation of the United States.

Peking May 25th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to my despatches numbers 671 and 684. with which I handed to you copies of two letters which I had addressed to Prince Kung in the matter of the attack upon Mr. Sites at Genping foo in December last, I have now the honor to transmit herewith a translation of the response which has been received. 691.

You

You will notice with satisfaction the statement of the Prince that he has issued instructions that this case be immediately examined into and settled in accordance with justice and the requirements of the treaties.

I have the honor to be,
Sir,
Your obedient servant.
Geo. F. Seward

Enclosure.

1. Prince Kung to Mr. Seward.
39/1880. May 10th, 1880.

Despatch No. 691.
Enclosure.

39/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

Upon the 30th ultimo I had the honor to receive a despatch from Y.E. in the matter of the attack upon the Rev. Mr. Sites at Yen Ting in December last, in which you informed me that you were in receipt of a report from Mr. Consul de Lano covering copies of his correspondence with the Provincial authorities in the case. Y.E. desired me to take into careful consideration the facts of the case and the negotiations for a settlement as proposed by the local authorities, and to this end you favored me with copies of the correspondence received by you etc— etc.

As I was upon the point of making reply to Y.E. I was favored with your later note of the 4th—

4th instant in which you requested me to send at once further and more stringent instructions to the Foochow Authorities for the immediate settlement of the case, and enclosed copies of further correspondence which had taken place between them and Mr. Consul de Lano.

I have again instructed the Provincial Authorities of Foochow to direct the local officers to make immediate examination and settlement of this case in accordance with justice and the requirements of the treaties, and make now a preliminary reply as above,

H. E. George F. Seward.

&c — &c — &c — &c.

Peking, May 10th, 1880.

Act

Wade

No. 692. One Enclosure.

Legation of the United States.

Peking, May 27th, 1880.

George F. Seward to the Secretary of State.

PRINTED.
FOREIGN RELATIONS.
1880

Subject.

Official intercourse.

Synopsis.

Refers to previous despatches upon this subject and forwards a minute received from the Chinese Foreign Office.

1880

No. 692. One Enclosure.

Legation of the United States.

Peking, May 27th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to my despatches, numbers 512. and 690. regarding the forms of official intercourse between Consular officers and the Chinese provincial authorities, I have now the honor to hand to you a minute from the Tsung li Yamen in response to that submitted by the Diplomatic Body. 692

The minute is not entirely satisfactory

satisfactory, and the subject will be considered soon by the several foreign Representatives with a view to determine what further steps shall be taken.

I have the honor to be,

Sir.

Your obedient servant.

Geo. F. Seward.

Enclosure.

1. Minute from the Foreign Office upon official intercourse.

Despatch No. 692.
Enclosure.

Official Intercourse

Minute in response

A minute has been received upon the intercourse between foreign Consular officers and Chinese provincial officers whether personal or by correspondence, submitting several points in which a modification of the present system is desirable, and asking that they receive attention, etc.

The subject was mentioned in a conference had with the foreign Representatives upon the 20th of April, and hereinafter will be found the response of the Foreign office upon the several points raised.

Point 1st. A Consular officer having occasion to speak to the Governor General or Governor of a province on business, whether at a port or in the interior, should be assured access; and he should not be treated as the subordinate of the high authority,

(no

no matter what the inferiority of his official rank, but according to the etiquette established between host and guest.

Upon this proposition the Yamen remarks:- The Treaties state that Consuls and Acting Consuls rank with Intendants of Circuit, Vice Consuls, & Acting Vice Consuls and Interpreters rank with Prefects. Since Viceroys and Governors, although not to be compared in their official rank with Intendants and Prefects, and notwithstanding the difference in rank, at the present do receive Consular officers without other etiquette than that of host and guest, they will certainly continue to receive them whenever occasion arises.

Point 2nd " Consular officers having occasion to correspond with the High Provincial Authorities upon official business, such correspondence should not take the form of a report from a deputy to his superior, nor of an instruction from the higher offic

(4

to the lower. But, no matter what the difference of rank, the phrase "wen i" should be used, thus — implying no assumption of authority of the one party over the other.

Upon this the Yamen remarks: — The Treaties declare that Consuls and Acting Consuls rank with Intendants, Vice Consuls, Acting Vice Consuls and Interpreters with Prefects. They shall have access to the official residences of these officers, and communicate with them either personally or in writing on a footing of equality. This refers to an actual equality of rank between the parties concerned. But if, regardless of inequalities in rank, the phrase "wen i" were to be used, there would appear to be an inconsistency with the stipulations of the treaties.

Point 3rd In Chinese despatches when speaking ~~to~~ of a Consular officer the word "Kai" is not to be used, and it is suggested that whenever

provincial

Provincial authorities address a Consular Office they should prefix the word "Kuei" to his title, and whenever speaking of a Consular officer, they should mention his name, as "Mr. Consul so and so".

Upon this the Yamen observes: This point involves in no way the dignity of China, and instructions will be sent by the Foreign Office to the several Provincial authorities to conform to these instructions.

Point 4th. Chinese Provincial Authorities, in their instructions to subordinate officials have been in the habit of using a vermillion pencil to bracket or point out certain parts of the despatch. This, looked at in the light of an instruction, in its employment in despatches addressed to Consular Officers is not called for, and it is suggested that the practice be discontinued.

There is no difficulty in complying with this suggestion. But in all

Chinese

Chinese official communications, it is customary to use the vermillion pencil at the moment of affixing the seal, both to punctuate the document and to indicate any erasures or alterations in the text. For example the Six Boards use it in their correspondence with this Yamen and certainly there can be no assumption of authority in their communications to us.

The foregoing remarks are made in careful view of all the circumstances, and in a spirit of fairness, and submitted for the consideration of T. C. C. the foreign Representatives.

File.

Ack. C.P. Trade

No. 693. Two Enclosures.

Legation of the United States.

Peking, May 27th, 1880.

DEPARTMENT OF STATE
JUL 13 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Wharfage dues scheme at Chinkiang.

Synopsis.

Forwards a correspondence had with Mr. Scruggs upon this subject. Scheme disapproved by Mr. Scruggs and Mr. Seward.

No. 693. Two Enclosures.

Legation of the United States.

Peking, May 27th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, a copy of a letter which I have received from our Consul at Chinkiang, enclosing a memorandum & submitted by him to the Customs Authorities at his port, touching a proposition made by them to levy wharfage dues for the improvement of the port and for other specified purposes. 693.

I

2/693. I also enclose a copy of my response to Mr. Scruggs, from which you will see that I entirely agree with him in his objections to the scheme as proposed.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Mr. Scruggs to Mr. Seward
No. 25. May 6th, 1880.
2. Mr. Seward in response.
No. 69. May 27th, 1880.

Despatch No. 693.
Enclosure 1.

Mr. Scruggs to Mr. Seward,
No 25. May 6th, 1880.

Sir:—

The Commissioner of Customs here, has submitted a scheme for the "improvement of the river foreshore, bund and streets," of the port which may find its way to the Imperial Capital, in some form or other, before it is finally abandoned by its promoters.

It proposes the levy of wharfage dues on all Imports and Exports, and a tax on real property, within certain described limits, whether held by foreigners or Chinese.

The duties and taxes are to be collected by the Commissioner of Customs, who is to be compensated therefor out of the proceeds; after which the residue is to be expended, under the direction of a "Board of Hulls", in improving the port.

This Board, according to the plan

plan proposed, is to be so constituted as to give "the Municipal Council of the British Concession," so called five of the six votes on all questions affecting the interests of the port; while in all questions mediately affecting the interests of the so-called Concession, the decision of H.B.M's Consul is to be final. Appeal may be had to a "governing Body" only in cases affecting property interests outside the limits of the foreign settlements or "Concession." The "Governing Board" is to be composed of the Taotai, the Treaty Consuls and the Commissioner of Customs.

As there are but two Treaty Consuls here, and one of these Chairman of the "Municipal Council of the British Concession by virtue of his office, they could probably not be able to agree on all matters thus coming before them, in which case, the Taotai would have the casting vote, since the Commissioner is his immediate

immediate subordinate in the Imperial Customs service.

The scheme, moreover, contemplates an appropriation of "at least one tenth" of all wharfage dues toward the payment of a bonded debt of the Municipal Council of the so-called Concession, contracted some five years ago in improvements, enhancing the value of private property within the limits of that close corporation.

As this scheme was not submitted to me in a form and manner that would admit of a formal reply, I chose to make known my opinion of it in an informal Memorandum, which I have the honor to inclose herewith

I am Sir, etc, etc,

(signed) William L. Scruggs.

Memoranda

The Treaty stipulations touching the matter of concessions of territory for residence and business purposes in China, are Art. IV. Br. Tr. 1860; III and XII Br. Tr. 1858; Rule X. Tar. Reg; Sec. III. Art. I Chefoo Agreement. (never ratified); Art. XVII Am. Treaty 1845; Arts. XII. and XVI. Am. Treaty 1859. and Art. I Am. Treaty 1869. Similar provisions are found with respect to the other Treaty powers represented in China.

But there is nothing in any of them that can be construed to mean concessions of territory and eminent domain. Citizens and subjects of the Treaty Powers have the right to buy, to sell, and to reside in any of the Treaty Ports, and in any part of those ports. They carry with them the laws of their respective nationalities, as well with respect

(to

to the rights of property as of a person; and, wherever found in China, they are amenable alone to their own national authorities. But concessions (of territory) in a legal sense, or in any sense generally understood by that term, do not exist. No one of the Treaty Powers has the right, for municipal purposes, or for any purpose, to assume jurisdiction of Chinese subjects, or of the subjects or citizens of non treaty powers, or of the persons or property of those of other treaty powers. The admission of such a claim would be an abridgment of treaty rights. It would undermine and destroy the very foundation of existing commercial intercourse in China.

It follows then, as a legitimate sequence, that a "Municipal Council" claiming to represent a so called Concession, or geographical boundary is really without any official recognition or status, except with respect

respect to the individuals composing the corporate compact. Its functions are confined to its own domestic affairs, beyond which it has absolutely no existence; and even then only when it does not infringe upon or affect vested treaty rights. It can have no authority to levy and collect Wharfage dues, or other duty on Imports or Exports, or re-imports and re-exports, nor to assess the property of others than its own members, for any purposes, and still less for the purpose of improving the value of property within its own limits.

Thus, upon general principles, the scheme submitted through Mr. Klienwatcher, for the levy and collection of Wharfage and other dues at this port, is objectionable to a degree that it can never be seriously entertained (in its present form at least) by the American Consul. It moreover, contains other features with respect to the "Governing Board", the "Board of Works" (and

and more particularly the proposition to expend a portion of the funds from Wharfage dues in the payment of an old indebtedness of the Municipal Council of the so-called Concession — that renders it impracticable.

(signed) W. L. Scruggs

Chinkiang May 4th, 1880.

Despatch No. 693.
Enclosure 2.

Mr. Seward to Mr. Scruggs.
No. 69. May 27th, 1880.

Sir:—

Referring to your despatch, number 25, in regard to a proposed levy of Wharfage Dues at your port, I beg leave to inform you that I entirely approve and commend your views and action as therein set forth.

I am, Sir, etc.

(signed) George F. Seward.

Ack

made

No. 694. One Enclosure.

Legation of the United States.

Peking, May 29th, 1880.

George F. Seward to
the Secretary of State.

Subject.

Sent 5 copies

Thanks of Italian Minister to the Consul at Hankow.

Synopsis.

Covers a copy of a letter expressing the thanks of the Italian Minister for courtesies extended to the Duke of Genoa by Mr. Consul Shepard.

No. 694. One Enclosure.

Legation of the United States.

Peking, May 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, a copy of a letter which I have received from Count de Luca, the Italian Minister, in which he expresses for H. R. H. the Duke of Genoa, and for himself, appreciation of the courtesies extended to the Duke during a recent visit to Hankow, by our Consul at that port. 1694.

I

I have forwarded a copy of Count de Luca's letter to Mr. Shepard.

I have the honor to be,
Sir,
Your obedient servant.
Geo. F. Seward.

Enclosure.

1. Count de Luca to Mr. Seward 22/1880. May 10th/4, 1880.

Despatch No. 694.
Enclosure.

Legazione de S.M. Il Re d'Italia in China.
Shanghai, 10th May, 1880.

His Excellency George F. Seward
&c — &c — &c — &c —

Dear Sir and Colleague,

It is an agreable duty for me to inform Your Excellency of the following circumstances.

In April last H.R.H. the Duke of Genoa, Commander of the Italian Corvette "Vittor Pisani", paid a visit with his ship to all the ports of the Yangtsze, and from his first arrival at Hankow until his departure, he met with the greatest kindness, regards and assistance at the hands of the worthy representative of the U. S. of America in that port. General Isaac F. Shepard, Senior Consul. The Prince, as well as all the officers of his staff, were made the recipients of many flattering attentions, through

(the

the exertion of Mr. Shepard and other distinguished foreign officials and residents of Hankow.

H. R. H. before leaving Shanghai has most particularly requested me to convey to Mr. Shepard the expression of his sincere thankfulness for so much courtesy. I could not execute these instructions better than through the high medium of Your Excellency whom I beg to have the kindness to acquaint the U. S. Consul at Hankow with these sentiments of H. R. H. Prince Thomas of Savoy. I have not failed, on my side, to bring to the knowledge of my Government all the particulars relating to the stay of the "Vittor Pisani" in that port.

Accept, in the meantime, Dear Sir and Colleague, the assurances of my highest consideration.

(signed) Ferd. de Luca
Italian Minister

Personal

Washington May 31.

My dear Mr Bowen -

May I trouble you about a slight matter?

I have now communicated Mr Leach's express request on business connected with my appointment.

W. Sprat seems to have

the circumstances of the case
will be correctly
in a communication last
Sept. But you think
my Expenses on these
journeys may be allowed
me by the rules of the
Department.

I desire to request of
by the circulars & instruc-
tions of the Dept. I

am entitled to reimburse-
ment of these expenses.
If so, can it better to
present the claim upon
leaving the country
and in what form?

I write to you personally,
because if the settle-
ment is not provided
for in due course by
your wages, I do
not want anything

about it on the folio of the L. & B. R.

If you will drop me a line about it to Penn Station, I shall be obliged to you.

Yours very truly
James B. Angell

Mr. Brown
Chief Clerk &c. &c.

I am off this morning

Instruction to Mr. Angell as directed July 22. 1880 Asst Sec'y

Report

if further instructions appear whe Mr Adee necessary C.P.

No. 695. One Enclosure.

Legation of the United States.

Peking, May 31st, 1880.

George F. Seward to the Secretary of State.

Subject.

Proposed outward Transit Pass Rules.

Synopsis.

Refers to Mr. Seward's despatch number 673. and states the results of Mr. vonBrandt's interview with the Foreign Office. Calls attention to certain provisions of the proposed rules and asks if any further instructions are necessary.

No. 695. One Enclosure.

Legation of the United States.

Peking, May 31st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Referring to my despatch, number 673., with which I forwarded to you a memorandum upon the Transit Trade outward and a copy of the Outward Transit Pass Rules proposed by the German Minister and approved by his Colleagues, who authorized him to lay the papers in question before the Foreign Office, I have now the honor to hand to you a copy of

No. 695.

of a note received from Mr. von Brandt giving the result of his interview with the Ministers upon the subject.

You will have noticed the provision made in Part I. Rule IX. of the proposed rules that "in all cases of fine or "confiscation arising under these "Rules, the same procedure will "be followed which is laid down "in the rules for joint investigation "in cases of confiscation and fine "by the Customs authorities, in "1868."

The Confiscation Rules thus referred to were reported to the Department by Mr. Williams with his despatch number 17. of July 2nd

2nd, 1868. and approved by "
Secretary Seward in his "
instruction to Minister Brown
number 3. of September 7th, 1868.

In view of the provision
that the class of cases indicated
shall be dealt with under the "
Confiscation Rules now in force,
I beg leave to inquire whether any
further instructions are considered
necessary either in regard to this
provision, or in regard generally
to the rules proposed by Mr. "
von Brandt.

I have the honor to be,
Sir, Your obedient servant
Georg F. Seward.

Enclosure.

1. Mr. von Brandt to Mr. Seward.
23/1880. May 20th, 1880.

Despatch No. 695.
Enclosure.

23/1880.

Mr. von Brandt has the honor to inform his colleagues that he met the Ministers of the Tsung-li Yamen on the 18th inst. by appointment in order to discuss the outward transit pass question with them. The Ministers Tsung-Wang, and Chiung li were present. They told Mr. von Brandt that as far as they could see, there was nothing in the proposals laid before them to which the Tsung-li Yamen could not assent, but that they would have to take the opinion of the two Superintendents of trade on the subject. They would do so immediately and inform Mr. von Brandt when the replies of these functionaries had arrived.

Peking, May 20th, 1880.

Ack'd as directed July 16. 1880. Mr Cridler

Ack + approve - made C. P.

No. 696. Two Enclosures.

Legation of the United States.

Peking, May 31st, 1880.

DEPARTMENT OF STATE JUL 13 1880 RECEIVED

George F. Seward to the Secretary of State.

Subject.

Proposed restrictions upon the purchase of land at Wen Shih chau, Foochow.

Synopsis.

Refers to Mr. Seward's number 664 and encloses a further letter from Mr. Mc Lane, and a copy of Mr. Sewards response to Prince Kung, declining to assent to the proposed restrictions.

No. 696. Two Enclosures.

Legation of the United States.

Peking, May 31st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to my despatch number 664., with which I transmitted to the Department a translation of a despatch from Prince Kung, requesting my approval of certain regulations to prohibit the purchase of property at or in the vicinity of Lou Shih shan in the city of Foochow, I have now the honor to hand to you herewith a copy of a further

1/696

further letter upon the subject
which has been received from Hu.
2/6 96. hle Laus, and a copy of my "
response to the Prince.

In the latter I have declined to
approve the restrictive measures as
uncalled for and unwise, holding that it
will be far better to decide whether
a particular spot is or is not
unreasonably chosen, when the "
occasion arises, than to arbitrarily
decide in advance that an entire
district at an open port is to be
reserved from our people.
I have requested the Prince to
instruct the Provincial Authorities
of Fukien to observe the treaty
as it stands.

I respectfully request
Your

your approval of my action.

I have the honor to be,

Sir,

Your obedient servant.

George F. Seward

Enclosures.

1. Mr. de Lano to Mr. Seward.
No. 162. April 27th, 1880.
2. Mr. Seward to Prince Kung.
43/1880. May 27th, 1880.

Despatch No. 696.
Enclosure 1.

Mr. DeLong to Mr. Seward,
No 162. : April 27th, 1880.

Sir:—

I have received your despatch No 115, with its enclosure, having reference to the action of the Chinese authorities at this port in regard to purchase of property by foreigners on or in the vicinity of Wu Shih Shan, and you ask me for a report upon the subject.

The communication addressed to you by Prince Kung which forms the enclosure with your despatch is essentially a translation of an official communication addressed to me on the 31st of October last by the Intendant and Acting Provincial Judge at this port, a copy of which was enclosed to you with my despatch No. 144 of date the 22nd December last.

In that communication I was requested to communicate to American citizens the action taken by the authorities in the premises, and warn

(them

them against leasing or purchasing property in the vicinity named. I did nothing more at the time than to orally acknowledge receipt of the communication and to say that I held that in accordance with the treaty American Citizens had the right to purchase or rent property in any part of the City or suburbs where they could obtain it by fair and honorable means from the lawful owners. The British Consul found it consistent with his views - or with his past action in regard to the acquirement of property in that locality by British subjects - to make a translation of a like communication sent to him and circulate it, together with a notification for the delectation of his nationals. The Danish V-Consul (a British subject) pursued a similar course, for the information of one single Danish resident here.

That communication was put out as a feeler, no doubt, and led up to the issuance of prohibitive

Orders

orders which were later issued, and appear in the despatch of the Intendant addressed to me on the 3rd March, a copy of which I inclosed to you with my despatch No. 159. Prince Kung seems to have addressed you on the subject ostensibly to ask you to direct me to "issue instructions to American citizens", but in reality for the purpose of ascertaining the views of the Legation, with a view to bringing forward at a later date their prohibitive measures for your approval.

So far as American interests are concerned at the moment, we might afford to be passive in the matter, for reason that no Americans own property in the locality in question, but it seems to me we cannot afford to admit the right of the Chinese to destroy, by the employment of incendiary mobs, costly buildings of foreign residents erected on sites lawfully obtained and peaceably occupied for a score or more of years, and then to forcibly dispossess them

(of

of the sites themselves, upon the grounds of "Feng Shui" or any other untenable grounds. Once committed to such a course and I have no doubt our people would soon be attacked in the same manner that the English missionaries have been.

The officials, following up the line taken in regard to Wu Shih Shan, have just now arrested one of the English Church catechists who ten years ago purchased in the neighbourhood of the Three Hills (Wu Shih Shan and other hill) a lot of ground and a native house for a boys' school (Christian) and propose to "punish" him until he will give up the property to the native from whom he bought it.

It is known that the property was acquired in the interest of the Mission, that the purchaser is a Christian, that the Christian doctrine is taught in the school, hence the demand for its restoration to its former non-Christian - owner and the persecution of the purchaser.

What

What clearer proof could there be of persecution on account of religious faith? Or what better proof is wanted of the purpose of the officials to make their proposed regulations retro-active, and in pursuance of them to oust foreigners from all their possessions in the city!

Referring you to my No. 157. which relates to the subject under notice,

I have the, etc,

(signed) M. M. de Lano.

Despatch No. 696.
Enclosure 2.

43/1880.

Mr. Seward to Prince Kung.

May 27th/4, 1880.

Referring to Y. I. H. letter of April 5th/4 in regard to the purchase and occupation of property on the Wu Shih shan at Foochow, I beg leave to say that the United States treaty contains stipulations in regard to the acquisition of houses and lands by United States citizens, and that my Government will insist upon the privileges there conceded to us. It is not expected that my countrymen will unreasonably insist upon particular spots, but it will be far better to determine whether a particular spot is, or is not unreasonable when the case occurs, than to arbitrarily decide in advance that a whole district at an open port is to be reserved from

from them.

I trust therefore that
Y. E. H. will instruct the
Provincial officers to observe
the treaty as it stands, and
to withdraw the rules which
they have proposed.

I have &c

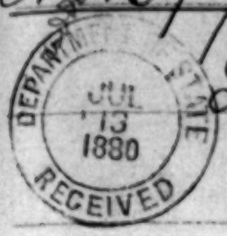
(Signed) George F. Seward

Series with approval letter dated July 22. 1880. Not added

Ack + approved

made

No. 697. Two Enclosures.



Legation of the United States.
Peking, May 31st, 1880.

George F. Seward to
the Secretary of State.

Subject.

Complaint against an American for traveling without a passport.

Synopsis.

Covers a despatch from Prince Kung stating the facts, and requesting that the person concerned be punished, and Mr. Seward's response declining the request on the ground that the passport was lost through no fault of its owner.

No. 697. Two Enclosures.

Legation of the United States

Peking, May 31st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you herewith a letter which 697.
I have received from Prince Kung, in which I am requested to instruct the Consul General at Shanghai to punish Mr. Macgowan, an American citizen, for the alleged offense of traveling in the province of Szchuen without a passport.

Granting that the facts of the case are correctly stated in the enclosure

enclosure with the Prince's letter, they set forth no misdemeanor on the part of Mr. Macgowan, except that, having suffered the loss of all his personal effects, including his passport, by the destruction of the Chinese boat in which he was traveling upon the Yangtze river above I Chang he proceeded a few days journey further to the capital of Sz Chuan, returning thence to Hankow and Shanghai. Indeed no other fault is charged against him.

Under these circumstances,
2/1897. I have responded to the Prince that it cannot be admitted that a foreigner is to be punished because he has lost his passport and

and have asked him to reconsider the business and to advise me whether it is really his opinion that Mr. Macgowan has committed any offense.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Prince Kung to Mr. Seward 36/1880. May 2nd/4, 1880.
2. Mr. Seward in response. 44/1880. May 27th/4, 1880.

Despatch No. 697.
Enclosure 1.

26/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication.

Upon the 27th ult.o I received a despatch from the Hukuang viceroy stating that a report had been received from the Lutendant at Ichang, acting under instruction from the High Provincial Authorities of Hzchuen, upon the statement of the Sub Prefect of Chiang Pei that having received a despatch from the local authorities whose territory joined his he had passed an American named Macgowan, who had entered the Province of Hzchuen without a passport.

The Hukuang viceroy requests me to communicate with the United States Minister in Peking that orders may be issued

issued to have the case dealt with as provided for in the treaties.

It therefore becomes my duty to communicate to Y.E. a copy of the correspondence in the case in order that you may instruct the Consul concerned to deal with the case according to the treaties and in conformity with the regulations.

H. E. George F. Seward,
&c &c &c &c

Peking, May 2nd, 1880

Enclosure.

Enclosure.

Copy of despatch received from the Hukuang Viceroy.

The Lutendant and the Customs Taotai at Ichang report that an instruction had been received by him from Hêng, Tartar General and Ling, Acting Viceroy of Szechuen, stating that a report had been received from Lin Isan, Acting Sub Prefect of Ichiang-pei that he had received an American named Isaacgowan within his territory and a despatch from the District Magistrate of Ichâng-shou, who had passed him on from other districts lying farther up the Yangtze. Upon questioning Mr. Isaacgowan it appeared that his passport was lost in the river at Ichang, and hence no copy could be secured. Upon a comparison there appeared to the

Acting

Acting Sub Prefect no discrepancy between this statement and the contents of the despatch received from the Chang Shou Magistrate. He therefore selected four reliable deputies to escort and care for Mr. Macgowan to Pa Hsien, and sent a despatch requesting the Pa Hsien Magistrate to act in a similar manner. Upon the 23th of October they reached Pa Hsien, and delivered over Mr. Macgowan without harm, and took an official acknowledgment from the Magistrate. As in duty bound the Acting Sub Prefect made a full and exact report of the dates of receiving Mr. Macgowan within his jurisdiction, and escorting him out of it, with all the attendant circumstances.

Upon this report the High Provincial Authorities commented as follows: No information has been received, either from the

Tsung

Leung li Yamen or the Hukuang Provincial Authorities in regard to the present visit of the American Missionary to this Province, as to whether he came to travel, to preach, or on mercantile business. His passport having been lost in the river, and there is thus no possibility of examining its contents. The despatch received in the premises from the Ichang shou magistrate states that his passport was lost in the river at Ichang. But there are Consuls resident at Ichang, why did not this foreigner apply for a new passport there. There are many openings for suspicion in the case, and the acting Sub Prefect was guilty of remissness in his duty, in that he did not get at the exact facts in the case, and in what he failed to discover and report whether the said foreigner had other persons in his company, and the nature of

his

his baggage. It is expected the Foreign Board of Deputies will see to it that hereafter whenever a foreigner comes within their area a thorough inspection and full report will be made, in order that no carelessness or inattention may occasion other and more serious troubles. The

The High Provincial Authorities forwarded a copy of the Sub Prefect's report, with their comments as above to the Intendant at Ichang for his information. Upon which he reports as follows:— September 26th 11, 1879, a note was received from Mr. Watters, British Consul at Ichang, reciting that Mr. Macgowan, an American, desired to travel through the province of Hupeh, and that as there was no American Consul at Ichang he had prepared a passport for which he requested countersignature, in order that he might

might hand it to Mr. Kwaegowan. Thereupon the passport was countersealed and returned. It contained no statement of intention to enter Ichuen. No report has been made to the local authorities as to whether the passport was lost in the river at Ichang. Despatches have been addressed to the American Consul at Hankow and to the British Consul at Ichang in the premises. From the latter a response has been received stating that Mr. Kwaegowan arrived at Ichang on the 26th of September, and reported that he had obtained leave of absence from the Customs at Shanghai, to come up to Hankow to visit his son in law Mr. Alabaster, the British Consul. But it happened that on that very day the "Kiang ping" steamer was to start for Ichang, and so he seized the opportunity to come by this steamer to see the floods. But that he had

had had no idea of going above
Ichang, and hence had not taken
out a passport, had brought but
a small amount of baggage and
only one servant. But upon the
"Kiang ping" he met two gentlemen
named and
who were going to travel in Szchuen,
and they talked together about the
peculiarities of the Province of
Szchuen above Ichang, and
spoke about going to Patung. On
arrival at Ichang he consulted
with the Captain of the "Kiang ping"
and finding that if he returned
at an early day he could return
on the same steamer to Hankow, he
borrowed a few articles, hired a boat,
secured a passport through the
British Consul, and started at the
same time with Messrs
and . On the third or
fourth day Mr. Macgowans boat
struck a rock & was wrecked, and
his borrowed articles, baggage and
passport

passport were all lost. The other boat rescued him from death, but he alone was saved, baggage and money were gone. Hence the others asked him to proceed with them on their boat. Originally Li Ta and Hua Shih intended going to Chungking but certain reasons prevented, and at Chung Chu, they hired another boat and returned to Hankow, inviting Mr. Macgowan to proceed in their boat to Hankow. After proceeding a few days, he became ill, and hence landed, hired a chair, and traveled overland to Chungking. He resided a few days at this point with Mr. Baber, an English officer, and then hired a boat and returned to Ichang and Shanghai. While in Ichang on his return journey, Mr. Macgowan narrated his experiences in his Szchuen trip to the British Consul as given above.

A

A response has also been
received from Mr. Shepard the
United States Consul at Hankow, who
also exercises jurisdiction at Hankow,
in which he says:- "Macgowan is an
"American, a Physician, resident
"at Shanghai, and the father in law
"of Mr. Alabaster, now Acting British
"Consul at Hankow. In September
"of last year he went from Shanghai
"to Ichang, and ascended the Yangtze
"above Ichang. He did not apply to me
"for a passport, but on arriving at
"Ichang applied to the British
"Consul there for a passport.
"Above Ichang by the wrecking of
"his boat on the rocks, he lost his
"baggage and passport, and having
"secured another boat, he went on to
"the capital of Szchuen. He has
"returned to Shanghai and hence is
"not within my jurisdiction."
"I entirely disapprove of foreigners
"travelling to remote parts of the
Empire

"Empire at their own option, and
"without regard to treaty stipulations
"as this man has done. In cases
"where foreigners proceed to distant
"points, and are found by the local
"authorities to be without passports,
"it would accord with regulations,
"if they were delivered over to the
"nearest consul. But in the present
"instance, although Mr. Isaegowan
"had no passport, the local authorities
"still gave him protection and
"allowed him to proceed. While this
"was an act of kindness to the foreigner,
"it certainly was not in exact
"accord with regulations. Fortunately
"Mr. Isaegowan's sole object in going
"to the Capital of Szchuen was to
"see the country. If hereafter any
"of my countrymen proceed, in
"an unauthorized manner, to remote
"parts of the interior, I trust that
"orders will be issued to the local
"authorities to hand them over to the
nearest

"nearest Consul for examination.
"As I have always expected the
"Chinese to give heed to treaty
"obligations, I certainly cannot do
"otherwise than instruct foreigners
"to do the same etc. etc.

The Ichang Intendant observes that the 9th Article of the British Treaty stipulates that "British subjects are hereby authorized "to travel, for their pleasure or for "purposes of trade to all parts of the "interior, etc. etc." If he be without "a passport, or if he commit any "offence against the law, he shall "be handed over to the nearest Consul "for punishment, etc. etc."

In the case under review Mr. Macgowan took out a passport for travel in Hupeh, which would permit him to travel in that province only. Yet he set out directly for Ichang in open violation of the treaties. And when this passport which he had taken out for travel

in

in Hupeh was lost in the river at Pa Ling above Ichang, why did he not give notice to the local authorities at the point where it was lost, and make application for a new one to supply its place? He ventured at his own motion to go on to the capital of Szchuen. According to the provisions of the treaties the local authorities of Szchuen, upon finding that Mr. Kraegowan had no passport either allowing him to travel or to transact business, ought to have handed him over to the nearest Consul to be punished.

As Kraegowan has returned to Shanghai and hence the local authorities of Szchuen cannot deliver him over as provided for in the treaties; and as, for the same reason, Mr Consul Shepard, who has jurisdiction over Hankow and Ichang would find it difficult to deal with the case, it seems advisable to forward copies

of

of the correspondence to the Hukuang viceroy, requesting him to address the Tsungli Yamen that the United States Minister at Peking may be requested to issue instructions to the Consul at Shanghai that a punishment such as is called for in the treaties and regulations be inflicted. Thus the Tchâng Intendant.

The Hukuang viceroy requests the Foreign Office to consider this business and place it before the United States Minister, in order that he may give instruction to the proper officers to deal with it as called for by the provisions of the treaties.

Despatch No. 697.
Enclosure 2.

44/1880.

Mr. Seward to Prince Kung.

May 2nd, 1880.

I have had the honor to receive Y. I. H. letter of the 2nd " instant in regard to Mr. Maegowan, an American citizen, who was lately traveling in Szchuen without a passport, one granted him by the " authorities at Ichang having been lost. Y. I. H. asks me to instruct the Consul General at Shanghai to punish him for this.

I beg leave to say in response that a passport is granted to a foreigner for his protection, but that it does not follow that a foreigner is to be punished because he has lost his passport. I beg leave therefore to ask Y. I. H. to reconsider the business and to advise me whether it is really

Your

Your view that Mr. Macgowan has committed any offence.

I may point out to Y. E. H. that all foreigners, subjects of China included, in the United States travel about as they like and are never asked for passports, or expected to hold them.

Americans in China do take out passports, but this is because such documents especially commit them to the favorable attentions of your officials. It would seem then that their disabilities when not provided with passports will be a sufficient inducement for them to take them out.

I have &c

(Signed) George F. Seward.

Instruction to Mr. Angell July 22. 1880 to congratulate Minister on proper terms
C. P.

Wade

No. 698. One Enclosure.

Legation of the United States.

Peking, May 31st, 1880.

George F. Seward to the Secretary of State.

PRINTED
PRINTED
1880

Subject

Mixed Court at Shanghai.

Synopsis

Refers to despatches numbers 650. 653. and 661., and encloses a letter of thanks from the (4) Mayors of the Diplomatic Body.

1880

No. 698. One Enclosure.

Legation of the United States.

Peking, May 31st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my despatches, numbers 650. 653. and 661. in which I informed you that the Diplomatic Body had requested me to speak with the Ministers of the Foreign Office in regard to the Mixed Court at Shanghai, and more particularly to the despatch last named in which a Minute of the interview was forwarded, I have now the honor to hand to you herewith 698.

herewith a copy of a letter which I have received from Sir Thomas Wade, Doyen of the Diplomatic Body, in reference to the action taken by me.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Sir Thomas Wade to Gen. Seward.

April 22nd, 1880.

Despatch No. 698.
Enclosure.

Peking
22nd April 1880

Dear Sir and Colleague.

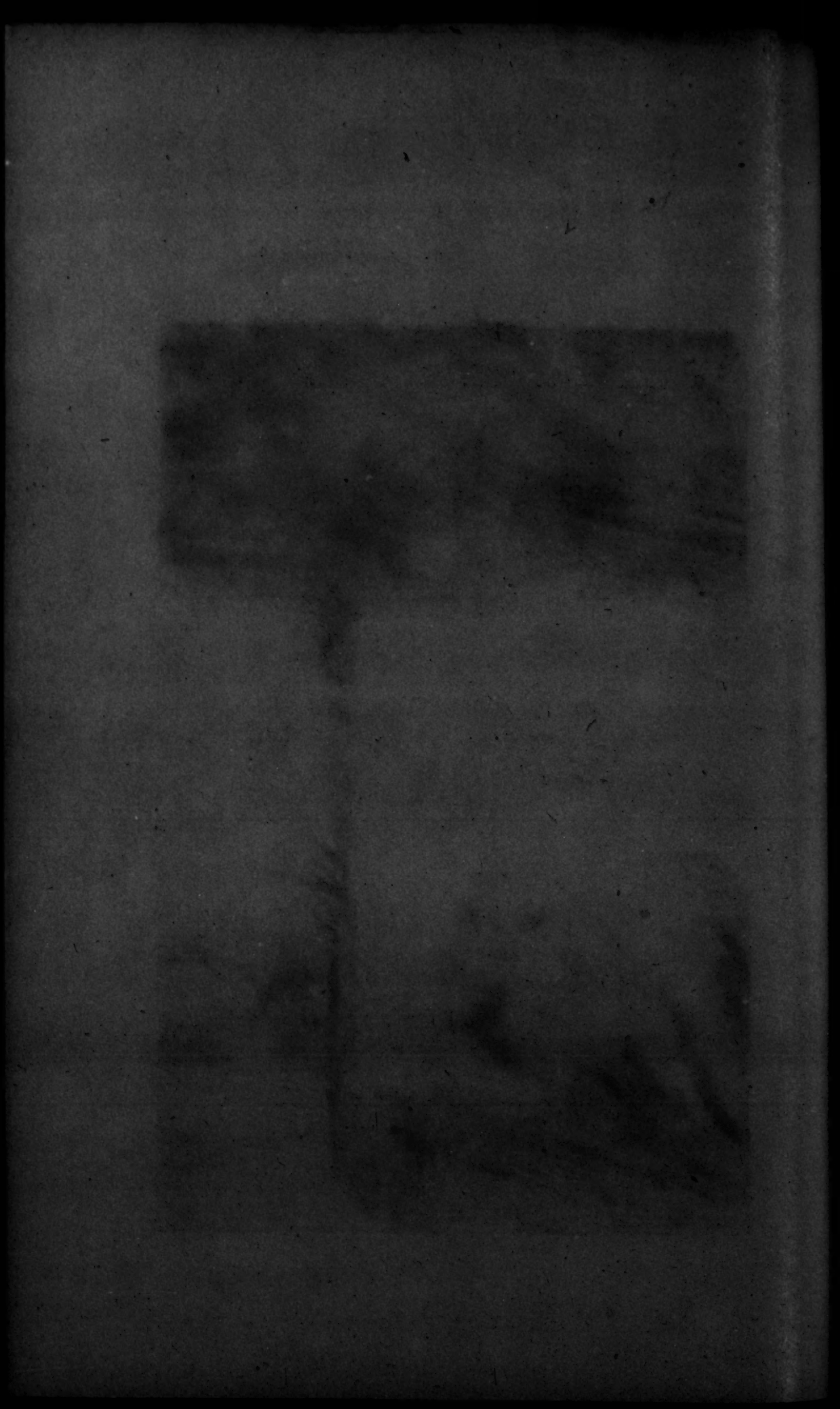
I do myself the pleasure to acknowledge receipt of your Letter of the 15th inst. I have since received also copy of the Memorandum to which it refers of your conference with the Ministers of the Tsung li Yamên regarding the Mixed Court at Shanghai.

Both papers having already been brought to the knowledge of our Colleagues by Yourself, there remains for me, as Doyen, the agreeable duty of repeating to You on behalf of my Colleagues and myself the assurance of our appreciation of the care and industry You have bestowed upon the execution of the task which at our joint request You undertook. Believe me.

Dear Sir and Colleague.

Your very faithful Colleague.

Excellency
Hon. E. F. Seward
&c. &c.
United States Legation



China

THE WESTERN UNION TELEGRAPH COMPANY.

READ THE NOTICE AT THE TOP.

Received at Cor. 15th and "F" Streets, Washington, D. C.

To Hon Wm M Evarts

Dept of State
Washde

Telegrams received Excellent
accomodations reserved
Oceanic Steamship
for the Commission

J P Swift

Rec'd Commissioner's Office 2/80

Hon. Wm M. Evarts
Secretary of State
Washington D.C.

Buy

File

DEPARTMENT OF STATE,

WASHINGTON.

File under date of June 1, 1880

Dear Mr Burn

As my instructions authorize me to draw my salary "at my convenience" I will be obliged if you will so arrange matters that I can draw monthly.

I will leave with you a Power of Attorney by which Mrs Prescott can be enabled to draw during my absence, $400 a month.

She may not need that but within that limit she will draw as she pleases as the salary accrues.

If you can arrange that I stay
that 4 to 5 days - one month today
from 1 May to 1 June and the
expenses of journey I can be obliged

Yrs

Wm Henry Prescott

The only other matter is the expense of getting over and I suppose I have better draw for that here, then add the exchange or discount on Draft- after the journey is over.

The Draft was good enough to authorize me to include in this personal expense, the expenses of my son who goes with me and will act do what clerical work I need.

My estimate is that

From W. to San Francisco - $200
" San Francisco to Yokohama 300
500
2
$1000

Add stay in San Francisco & Yokohama and return of the U.S. vessel for a week from Y. to Chefoo 200
1300

DEPARTMENT OF STATE
AUG 2 1880
RECEIVED

Le Judge Denis's Report noted Sept. 25. 1880

Mr Adee

No. 699. Seven Enclosures.

Legation of the United States.

Peking, June 14, 1880.

George F. Seward to the Secretary of State.

Subject.

Abduction case at Wenchow.

Synopsis.

Hle. Lord tried the case at Wenchow with three naval officers as Associates. Consul held Burnett as guilty. Associates disagreed. A new trial has been ordered because the Court was not legally constituted.

No. 699. Seven Enclosures.

Legation of the United States.

Peking, June 1st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Refering to my despatches, numbers 628. and 647. in regard to a charge of abduction brought by the Chinese Authorities at Wenchow against an American named Burnett, I have now the honor to hand to you copies of two despatches which I have received from our Consul at Ningpo upon the subject. 1. 2/699.

From these it appears that

that Mr. Lord proceeded to Yokohama on board the U. S. S. "Monocacy" and tried the case. In the absence of any of our people who were resident at that port, and qualified to act as Associates in the Court, as required by Section 4106. of the Revised Statutes, three of the officers of the "Monocacy" were detailed to assist the Consul in the capacity indicated and a fourth was appointed to defend the prisoner. As the result of this trial, the Consul held that Mr. Burnett had been an accomplice in the abduction, and sentenced him to one year's imprisonment and to pay the costs of the prosecution. The three Associates disagreed with both

both the finding of the Court and the sentence. The case was in consequence referred to me for a decision, the prisoner having been released on bail. I regret that the record is so voluminous that I am unable to transmit a copy of it to the Department.

At a later moment I received a despatch from Prince Kung in which the details of the case were briefly recited, complaint was made of "the interference" of the naval officers, and I was requested to "instruct the Consul "to hear and determine the case at "an early day in a just manner." I enclose a copy of the letter of the Prince. At the moment I responded 3/699

4/699. responded in general terms that the business would receive my careful attention.

It needed no considerable study of the case to show that the Court at Newchow was irregularly constituted, as there is no provision of law which would authorize the selection of naval officers as Associates, the statute expressly limiting the choice of the Consul to persons drawn by lot from a list of United States citizens, resident at the given port, who have been approved by the Minister as fit for such duty. I have felt obliged, therefore, without entering upon the
5/699. merits of the case, to inform Her Lord that the constitution of his Court

court was defective, and to advise him to try the case again at Kingpo, giving due notice to the Ewenchow Authorities, and requesting them to secure the attendance of their witnesses. I have also addressed 6/699.
a note to Prince Kung indicating the action taken by me, a copy of which I enclose.

I also forward a copy of 7/699.
a despatch which I have received from Her. Lord since he received my instruction. At a still later moment I had the opportunity to speak with him personally on the subject, and I have every reason to believe that he will carry out the views expressed to him in my letter.

Yours

You will notice that certain expenses for witnesses may be incurred if the trial takes place, and that I have authorized Mr. Lord to say that the United States will defray them.

I have the honor to be,

Sir,

Your obedient servant.

Wolcott Todd

Enclosures.

Enclosures.

1. Mr. Lord to Mr. Seward
No. 113. March 4th, 1880.

2. Mr. Lord to Mr. Seward
No. 114. March 20th, 1880.

3. Prince Kung to Mr. Seward
37/1880. April 30th, 1880.

4. Mr. Seward to Prince Kung
41/1880. May 13th, 1880.

5. Mr. Seward to Mr. Lord.
No. 67. May 14th, 1880.

6. Mr. Seward to Prince Kung
45/1880. May 29th, 1880.

7. Mr. Lord to Mr. Seward
No. 122. May 17th, 1880.

Despatch No. 699.
Enclosure 1.

Mr. Lord to Mr. Seward.
No. 113. March 4th, 1880.

Sir,

I have to report to you that I have learned through the United States Consul General at Shanghai that a case of abduction, "the forcible seizure and carrying off of a native woman, is alleged to have been committed, or participated in, by an American citizen named Burnett, at Wenchow. The Wenchow officials communicated with Mr. Bailey on the subject under the impression, it seems, that he would have jurisdiction in the matter. Mr. Bailey has of course forwarded the case to me, with all the papers relating to it. The case seems to have created much excitement at Wenchow. It seemed to Mr. Bailey and it seems to me, that I should proceed at once to Wenchow, and give to the matter my immediate and earnest attention.

The Wenchow officials dispatched a

(gunboat

gunboat to convey an official with the papers relating to the case to Shanghai and to communicate personally with Mr. Bailey. The service of the gunboat was offered to convey me to Wenchow in case I desired to avail myself of it. Mr. Bailey in informing me of this courtesy, remarked that if I preferred to go in a vessel of our own, he would be happy to communicate with Commander Sumner of the "Monocacy" on the subject. I promptly informed him that I should much prefer to go in a vessel of our own. Mr. Bailey communicated my wishes to Commander Sumner and, as I suppose, acquainted him with the circumstances of the case. The result is that the "Monocacy" has been detailed for this service, and I am informed that she will be here tomorrow morning, and will be ready to proceed immediately to Wenchow.

Mr. Burnett, the person accused, is connected with the Customs, I learn

learn that Mr. Mackey, his superior, has suspended him, and his case has no doubt been reported to Mr. Hart, the Inspector General of Customs. I trust that Mr. Hart will hold the matter in suspense until a full investigation has been made and reported. There seems to be a great deal of excitement on the subject, and rumours, no doubt false or exaggerated, are abroad. I shall give the case a careful investigation, and, as soon as possible furnish you with a full and impartial account of the whole matter.

I have the honor to be,

Sir,

Your obedient servant.

Edward C. Lord.

Despatch No. 699.
Enclosure 2.

Mr. Lord to Mr. Seward.
No. 114. March 20th, 1860.

Sir:—

Regarding the matter at Wenchow mentioned in my despatch No. 113, dated the 4th instant, I have now to report further.

The United States Steamer "Monocacy", in charge of Commander Sumner, called in here for me, as I expected, on the 5th instant, I went at once onboard and we proceeded immediately to Wenchow. We arrived there the next day, but too late in the afternoon to commence any work that day. The next being Sunday nothing of course could be done. We saw, however, Mr. Mackey the Commissioner of Customs there, and Mr. Everard, Acting British Consul for that port. These gentlemen learning of our arrival came off to call upon us. They both seemed much interested in the case, and they

they reported the existence of "
considerable excitement in "
regard to it, both among the "
officials and the people. On "
Monday, I went to call officially
on His Excellency the Taotai, "
Commander Sumner accompanying
me, His Excellency was informed
that I was in possession of all the
papers which had been transmitted
by him to our Consul General, and
that I had come to look into the
matter. I informed him also that
while I must give to the matter all
the time that really was needed, I was
yet anxious that there should be
no unnecessary delay; and in order
to effect this, I must ask him
to do what he could to facilitate
my work. To this he courteously
assented. From the manner of
His Excellency's conversation I
do not think that he had any very
well defined views touching "
his relation to the matter. He

(had

had evidently in mind that clause of the Treaty which says: "If controversies "arise between citizens of the United "States and subjects of China, which "cannot be amicably settled, the same "shall be examined and decided "conformably to justice and equity by "the public officers of the two nations acting in conjunction". And I judge that he thought the Court for trying Burnett should be a sort of "Mixed Court." I explained to him as well as I could that Burnett, in this matter could be tried only in his own Consular Court; but as the alleged offense had been committed against Chinese subjects and as he had brought the charge against him, it would be proper for him to attend the trial, watch the proceedings, and complain, if, in his opinion, justice were not meted out. He seemed to assent to this, though I fancied there was still in his mind some want of clearness on the subject.

In

In the matter of plans of procedure I informed him that I should like to have the opportunity to examine privately, as preliminary to the public examination, the important witnesses, some of whom he had examined, and some of whom he had not; and that for this purpose I should be glad if he would have them called and sent to me onboard the steamer, where, for the present I was stopping. To this he made objections, first, that as the witnesses were to be examined publicly, it was not necessary to examine them privately; and, second, that the witnesses might be afraid to go onboard of a foreign steamer. And when I mentioned to him that I proposed to hold the public examination, or trial on-board the Steamer, he seemed to feel a still stronger objection to this. The matter was discussed at considerable length, and his

assent

assent was finally obtained to both of my propositions. But after giving his assent and after all the arrangements were agreed upon, and we had returned to the steamer, he seemed to have had further misgivings, for he sent a head gentry-man, with whom I had some acquaintance, with a note, requesting me to hold my court in the appartments of that gentleman. Although this was a matter in which I might perhaps have yielded without the sacrifice of any principle, I deemed it to be the better policy to adhere to my position, and the result convinced me that I was right.

My object in desiring to have a private examination of the main witnesses in the case, was to find out, if I could how far their evidence already given, or likely to be given, had been

been, or would be, free from intimi
or other pressure. One witness, I
knew, had been severely beaten
in his examinations before the
officials. I was anxious to check
as far as possible the operation
of such influences on witnesses
when brought into our Court.

I spent the afternoon of Monda
8th and all day Tuesday the 9th
in work of this kind. On Wednes
the 10th, at 10 o'clock A. M. the trial
commenced.

The offense charged against
Burnett was of a grave character.
There was a good deal of excitement
in the place. I felt that I neede
associates. But there were no Americ
in the place except those onboard
the steamer, I consulted with
Commander Sumner and he
kindly offered to detail some of
his officers for this service if I
needed them. I did need them
very much, And so, under the
circumstanc

circumstances, I ventured to depart from the regulation, that my assessors must be chosen from a list of persons previously approved by the Minister. I subsequently heard a remark made by one of the officers, that all naval officers were supposed to be on the list of those approved for such service. Whether there is any regulation to this effect, I do not know, but in this case no other help could be had, and as I deemed their help very needful, I took the responsibility of acting upon my own judgment, and availing myself of it, I can only hope that what I did will meet with your approval. Three officers were detailed to act as my associates, namely - Paymaster Joseph Foster, Lieutenant R. M. Cutts, and Lieutenant T. T. Clay: and another assistant engineer W. C. Crisman, was detailed to serve as my clerk of Court. Mr. George Stott, an English missionary

missionary, who has long resided at Wenchow, and who is familiar with the local dialect, was obtained to act as Interpreter.

The Court being organized, and His Excellency the Taotai being present with his Deputy, translators, scribes, etc. our work commenced. Doctor Price, another officer of the "Monocacy" had consented to act as counsel and conduct the case for the accused. Four days, commencing early and working late were occupied in the examination and cross-examination of the witnesses. A session was held on the fifth day to hear the Counsel's defense for the accused. And another was held on the sixth day to hear the decision of the Court. The examination from first to last was very full, very careful and, I think, entirely fair.

The decision to which I came was, that the accused was guilty

(over)

of having been an accomplice in the abduction, and that for this offence he should suffer " imprisonment for one year, and be required to pay the costs of his prosecution. In this decision my associates did not concur. So further proceedings had to be stayed, and the case transmitted to you.

The minutes of the proceedings are very lengthy, and there are numerous other papers connected with the case, some of which must yet be translated, and all of which must be arranged and " copied, before the case can be " transmitted. I will do this work as soon as I can, but it will be impossible for me to do it without some delay.

In the meantime Burnett has been released on bail for $1,500. He is now, I suppose in Shanghai, where he will await your decision.

I understood him to say that

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he should resign his position in the Customs, which was that of examiner. I sincerely hope that Mr. Hart will allow him to do so, and permit him to receive any benefit to which the rules of the service might entitle him. This, so far as I know, is his first offence, if offense it be, and one in which there may be, and probably are, mitigating circumstances. Then I have learned from others that he has been long in the Customs service, and that the service which he has rendered has been a valuable one. To be deprived of his position now, at his advanced age, must be to him a great misfortune, I could earnestly wish that it might be burdened by no unnecessary weight.

I have thought it needful to send you this brief report of the case before it is possible to get all the papers relating to it ready for transmission.

I have, etc.

(Signed) Edward C. Lord.

Despatch No. 699.

Enclosure 3.

3/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication.

Upon the 26th ult. instant I received, through the Acting Southern Superintendent of Foreign Trade, a report from the Intendant of Customs at Wenchow in the case of the abduction of a Buddhist nun by an American named Burnett. A letter was sent by the United States Consul General at Shanghai to Mr. Lord, Consul at Ningpo, requesting him to proceed to Wenchow and hold a joint trial. The trial commenced on the 10th ult. of March, with the British Consul, Mr. Everard, acting as Interpreter, as Mr. Lord did not understand Chinese, and with Mr. Mackey, Commissioner of Customs, attending daily to watch proceedings. Burnett disputed

the

the evidence given as to the facts of the case in every point. Upon the 15th inst March, Burnett was summoned before the Consul and Intendant and cross examined upon each point of the evidence as disputed by him. He well knew that he was guilty, but he still obstinately denied it. The Taotai desired to confront Burnett with the Buddhist nun but the Consul Lord objected that there was no such procedure in the trial of cases in United States Courts, but that it rested with the Court to weigh and compare the evidence given by either party and to give judgment according to the weight of evidence. and that the people of each nationality must be dealt with by their own authorities.

Judgment was rendered March 16th inst at 2 o'clock p. m. and the Taotai was invited to be present. Consul Lord, rendered his verdict that

Huang

Huang Ahgi was the abductor of the nun, but that he had abducted her for the man Burnett; that although Burnett had not been himself one of the abducting party, he could not on this account, escape the responsibility for the act; that Burnett's statement that he had detained the nun seven days at Ichiang Hsien sz because the abbess refused to come for her, was only an effort to screen himself from the penalties of the law; and that in accordance with the statutes of the United States, Burnett should be confined in prison for one year. On this occasion there were three persons sitting as Assessors upon the bench with Hon. Consul Lord, all of whom requested him to reduce the punishment given in his judgment. There was also a laborer employed by Burnett who came forward and attested

the

the judgment entered, maintaining that the trial had not been legally conducted, and that the case must be appealed to the Minister at Peking, for his judgment. Thereupon Asst. Consul Lord informed the Intendant that this case must be referred to the United States Minister at Peking for his consideration, after which it would be finally decided. To this the Intendant replied that the case had already been investigated clearly, and that the evidence of the Chinese parties in the case, as given at the joint trial, had been considered, and such of the Chinese as were guilty had been punished, and the others dismissed. Consul Lord had no response to make to this, and took Bissett away with him.

Upon this case the Intendant remarks that heretofore in the joint trial of mixed cases the

Consul

Consul has determined the verdict, and outsiders have not been allowed to interfere with advice. Previous to the trial Sur. Consul Lord had examined thoroughly into the facts of this case, and at the conclusion of the trial, he gave judgment of one years imprisonment. Under the grave circumstances of the crime, this must be held as a light punishment. And yet because outsiders interposed objections, his judgment is held not to be a judgment.

Wang Ahyi must be punished according to Chinese law. At the trial the young man testified that intercourse was had with her. This fact made the case of more gravity, and a later despatch was addressed to the Consul requesting him to make this fact a part of the case in dealing with it. But Consul

Lord

Lord held that there was no evidence that there had been intercourse as the result of violence, and he desired the Intendant to desist from further inquiries, as it appeared that the case must be decided according to the evidence taken, and it was certainly to be hoped that there should neither be undue severity nor laxity shown in dealing with it. and as Her. Consul Lord has appealed the case to the United States Minister, it will undoubtedly be dealt with in the strictest Justice. Thus the Acting Southern Superintendent of Foreign Trade.

Upon this case I beg leave to remark that the facts appear to have been fully developed in the joint trial. It also appears that Mr. Consul Lord sentenced Burnett to imprisonment for a term of one year. This was evidently

a

a righteous verdict.

It becomes my duty in the present aspect of the business to forward to H. E. a copy of the Chinese record of the trial for your inspection, and to express a hope that H. E. will instruct his Consul Lord to hear and determine the case at an early day in a just manner.

I. E. George F. Seward
etc. etc. etc. etc.

Peking, April 30th, 1880.

Enclosure.

(For enclosure see Inc. Lord to Mr. Seward, No. 115. March 27th, 1880. C.H.)

Despatch No. 699.
Enclosure 4.

21/1880.

Mr. Seward to Prince Kung.
May 15th, 1880.

Upon the 30th ultimo I had the honor to receive a despatch from Y. I. H. stating that you had received a communication from the Acting Southern Superintendent of Foreign Trade which covered a report by the Wenchow Customs Intendant of the alleged abduction of a Buddhist nun by an American named Burnett. Y. I. H. forwarded a Chinese copy of the minutes of the trial of the case and expressed a hope that I would instruct Mr. Consul Lord to hear and determine the case at an early day in a just manner.

In response I beg leave to inform Y. I. H. that the case in question has already come before me on appeal. Y. I. H. is fully aware that all cases of this class in which

which my countrymen are concerned must be tried and determined in strict obedience to the regulations for the conduct of our Courts and the statutes of the United States.

The case in question is now receiving my careful attention, and I need not assure Y. I. H. that my only desire is to decide it in accordance with the facts, the law, and general considerations of justice.

I have, &c.

(signed) George T. Seward.

Dispatch No. 699.
Inclosure 5.

Mr. Seward to Mr. Lord.
No. 67. May 14th, 1880.

Sir:—

Referring to the matter the United States vs. Burnett and more particularly to your despatch of March 27th, transmitting to me the record of the case I beg leave to inform you that while recognizing the care exercised by you in conducting the trial I find that your proceedings were irregular for the reason that the associates were not qualified as required by law, and that for this cause I am obliged to consider the case one which has not come before me in such a manner that I can proceed to pass judgment, or to make any order to you.

I may say, however, that in my opinion, you will do well to file a new complaint against the accused and to proceed against him upon it at your port. It will be inconvenient to go again to Wenchow. It will be competent for

for you to explain your action to the Wenchow Authorities, and to state that the expenses of the prosecution and other witnesses in coming to Ningpo will be defrayed by the United States.

I inclose a brief which has been submitted to me by the Counsel for the accused. Please be so good as to forward it to the Legation after you have examined it.

I have mentioned to the Foreign Office at Peking the conciderations set forth in this despatch, and the Ministers appeared to assent to the proposal to hear the case again at Ningpo.

I am, Sir, etc.

(signed) George F. Seward.

Despatch No. 699.
Enclosure 6.

45/1880.

Mr. Seward to Prince Kung.
May 29th 4. 1880.

I have had the honor to receive
Y. I. H. letter of the 30th ultimo
in regard to the case of Mr.
Burlett, an American citizen,
who was charged with the
abduction of a Chinese woman
by the authorities at Wenchow.

In response I have to
state that the American Consuls
in China are charged with the
duty of trying all criminal
complaints preferred against
American citizens in China.
In conducting such trials it is
their duty to call to their assistance
citizens who have been previously
approved by the Minister as fit
for such duty. In the given case
there were no citizens so approved
at Wenchow, and the Consul
called certain naval officers.

This

This, however, was a departure from the law, and, as a consequence, I have been obliged to declare the proceedings void.

The Consul will now hold another trial at Ningpo, informing the authorities at Wenchow of the date, and asking them to direct the witnesses to appear. Their expenses in proceeding to Ningpo will be defrayed by the United States Government.

I regret that it has been necessary to condemn the course of the Consul, but Y. E. H. will at once see that it has been impossible to avoid doing so, and that the course now indicated is the best that can be devised. The Consul is an experienced officer, well versed in Your language, and will conduct the matter as carefully and with as sincere desire to do justice as if the

the complaint was advanced by one of our own people.

Please be so good as to inform the authorities at Wirchow of the contents of this despatch.

I have, &c.

(Signed) George F. Seward.

Despatch No. 699.
Enclosure 7.

Mr. Lord to Mr. Seward.
No. 122. May 17th, 1880.

Sir:—

I have had the honor to receive your despatch dated the 14th instant, informing me, that owing to the proceedings in the Burnett case having been irregular you could not regard the case as before you in such a manner that you could proceed to pass judgment, or to make any order to me, but you thought it might be well for me to file a new complaint against the accused and proceed against him at Ningpo.

The wording of your despatch is such as to leave me in some doubt as to whether your recommendation or suggestion is intended to be an "instruction", in the meaning of Section 4106. of the Revised Statutes, last clause; "or by remitting the same to the counsel with instructions how to proceed therewith".

But

But presuming that this was your intention, I beg to call your attention to some serious objections which seem to lie against this course of procedure.

I. If Burnett is now discharged, as I suppose he must be, from his bail and security, he might, and I think he probably would, disappear before he could be arrested on a new complaint. I have already received from his Counsel a demand for his security to be given up, accompanied with a statement that Burnett suspected an intention on my part to entice him to Ningpo so that I could re-arrest him. I am doubtful whether I could compel his attendance at Ningpo, in order to communicate to him your answer and take delivery of his security.

II I think it very doubtful whether all the witnesses needed in the case could be brought to Ningpo. I think it is almost certain that some

could

could not. If application were made for them and none were to appear the case would of course have to be dismissed, and we might perhaps throw the responsibility of it upon the Chinese. But if some were to appear, but not all needed to secure conviction of the accused (presuming him to be guilty) there would be the form of a new trial, and the discharge of Burnett. This would in my opinion make the matter worse than it is at present.

III. To retry the case at Ningpo there would be no possibility of getting a suitable Interpreter. The language of the witnesses cannot be understood by any foreigner living here. The interpretations must pass through natives, who would be objected to as not "sworn interpreters."

IV. Burnett's evidence in the first trial appeared to me of much importance. He was unquestionably a competent witness. See Statutes of

(the

the United States of America. Chap. 37. But he must be a voluntary witness. And very likely his counsel would now keep him from this.

V. Then, if in accordance with Mr. Hendersons law and logic, Chinese evidence is good for nothing, on account of those giving it being liable to intimidation, to falsehood, and to insensibility to oaths, what is the use of the great trouble and expense of getting them here for this purpose?

On the whole, while I hold myself bound to obey your order, or your instructions in the matter, I am deeply impressed with the conviction that the task of a new trial of this case would be attended with very much difficulty, and with very little satisfaction.

I return, herewith, with thanks, the brief which you had the kindness to inclose to me.

I have etc,

(signed) E. C. Lord.

Ask
C. P.

Mr. Adee

No. 700. Two Enclosures.

Legation of the United States.

Peking, June 3th/4, 1880.

George F. Seward to the Secretary of State.

Subject.

Complaint against an American for traveling without a passport.

Synopsis.

Forwards copies of further correspondence with the Foreign Office upon this subject and asks approval of course taken.

No. 700. Two Enclosures.

Legation of the United States.

Peking, June 5th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:—

Recurring to my despatch number 697, with which I handed to you copies of a correspondence which had passed between the Foreign Office and this Legation in regard to a complaint made by the Chinese authorities that Mr. Macgowan, an American citizen, had traveled in the province of Szchuen without a passport, I have now the honor

to

1/700. to enclose herewith a translation of a further despatch which I have received from Prince Kung.

You will see that the Prince in this later letter, practically withdraws his request that Mr. Macgowan should be punished, and asks that our people when going into the interior should in all cases be provided with passports, and that when, for any reason, a passport is lost, a new one should at once be applied for at the nearest Consulate.

2/700. I am addressing the Prince in response, pointing out to him the delay, inconvenience, and danger which might arise in cases where our people, having lost

lost their passports, are obliged to await at some interior point the arrival of a new one, and asking the Prince whether, in such cases, it would not be possible for the local authorities to grant some sort of safe conduct to the parties concerned.

I beg your approval of my action in these premises.

I have the honor to be,

Sir,

Your obedient servant

Geo. F. Seward

Enclosures.

1. Prince Kung to Mr. Seward 46/1880. June 2nd 4, 1880.
2. Mr. Seward in response. 48/1880. June 5th 4, 1880.

Despatch No. 700.
Inclosure 1.

26/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

Upon the 27th ultimo I had the honor to receive a despatch from Y. E. in which you stated that you were in receipt of my despatch in regard to Dr. Macgowan, an American citizen, who was lately traveling in Szchuen without a passport, his own having been lost, and in which I had requested Y. E. to instruct the Consul General to punish him for this. Y. E. then proceeds to say that a passport is granted to a foreigner for his protection, but that it does not follow that he is to be punished because he has lost his passport. Subjects of China in the United States travel about as they like and are never asked for passports or expected

to

to hold them. Americans in China do take out passports, but this is because such documents especially commit them to the favorable attentions of your officials. It would seem then that their disabilities when not provided with passports would be a sufficient inducement for them to take them out.

In response I beg leave to remark that hitherto all foreigners when proceeding to the interior of China for purposes of travel have invariably taken out passports for their protection. Dr. Macgowan, an American, went to Szchuen without a passport and this Office thereupon requested H. E. to punish him according to the Treaty, our motive being to secure that all Americans who travel in the interior should be provided with passports for their convenience in going here and there. This is in strict accord with the procedure under the treaties with China.

Chinese subjects are allowed to travel

travel as they please in the United States and are not asked for passports. This is a line of procedure followed in your country. To grant protection upon the production of a passport is the procedure adopted in China. The lines of procedure are different, but there is the same purpose and that is to have careful regard for the people of each country as is required by treaty. In case of loss of a passport a new one would naturally be applied for at the nearest Consulate, and, upon receipt of a despatch from the Consul to this effect, the local Authorities would at once issue a new one. This would manifest ordinary prudence in such a case. It has never been in our minds that Dr Macgowan should be punished because he lost his passport.

Y. E. has resided in China and has attended to public affairs here for many years, and doubtless fully

fully understands the situation. And I venture to express the hope again that H. E. will instruct your Consul to see to it that, in all cases where your people go into the interior, they are provided with passports, and that in case of loss of this document, that a new one be taken out, in order that the local authorities may in each instance render the necessary protection. This is a matter of the utmost importance.

H. E. George F. Seward,
etc — etc — etc — etc —

Peking. June 2nd, 1880.

Despatch No. 700.
Enclosure 2.

48/1880.

Mr. Seward to Prince Kung
June 5th, 1880.

Sir:—

I have had the honor to receive Y. I. H's despatch of the 2nd instant in regard to Dr. Macgowan's case.

I am entirely desirous that my countrymen shall comply perfectly with all the requirements of the treaties and that they shall so conduct themselves in all respects as to avoid difficulties and save your authorities and ours from unnecessary embarrassments.

It seems to me that at the moment the question is not whether travellers should take out passports but what they are to do when they have them.

It will be manifest to Y. I. H. that to stop at an interior point in order to send back to the nearest Consulate for a new passport may occasion

occasion unnecessary delay and may even involve a certain risk to the traveller while he is awaiting an answer.

I beg leave therefore to ask whether it is possible and convenient for Y. I. H. to instruct your officers at interior points to grant some kind of safe conduct to travellers who have lost their passports and who apply to them with evidence as to the fact.

In case this may be convenient for you I shall at once notify all the Consuls of my country in China to call the attention of our people to the propriety of their taking out passports before going into the interior and to the fact that they may procure certificates of safe conduct at interior points in case they have been deprived of their passports by causes which they could not control.

I have, etc.

(signed) George F. Seward.

Ack. with approval Aug 7. 1880 Wm Hunter

Ack + approve C.P.

Mr Hale

No. 701. Two Enclosures.

Legation of the United States.

Peking, June 5th, 1880.

DEPARTMENT OF STATE AUG 2 1880 RECEIVED

George F. Seward to the Secretary of State.

Subject.

Woushih shaw regulations.

Synopsis.

Refers to despatches numbers 664. and 696. forwards further correspondence and requests the approval of the Department.

R. & I.

No. 701. Two Enclosures

Legation of the United States.

Peking, June 5th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my despatches, numbers 664. and 696. having regard to certain rules proposed by the local authorities of Foo Chow, to prohibit the purchase or lease of property by foreigners in the vicinity of Cow Shihshan in that city, and containing a copy of a note which I had addressed to Prince Kung which stated that I was unable to assent

to

to the rules in question, I have now
1/701. the honor to hand to you herewith
a further letter from the Prince,
in which he urges that the rules
are strictly in accord with the
treaty and renews his request
for my approval.

2/701. I have responded that,
while anxious to meet the wishes
of his Government, it does not
seem to me wise to adopt
regulations which are purely
local in their application, and
by which a considerable district
at an open port would be
reserved from our people. I have
added that the treaty as it stands
has served all purposes in this
direction in the past, that there is

no

no practical case at issue at Foochow, and that, should one arise we shall be ready to consider it with a view to reach an equitable adjustment.

I respectfully request your approval of my action.

I have the honor to be,

Sir,

Your obedient servant.

Thos. F. Bayard

Enclosures.

1. Prince Kung to Mr. Seward 47/1880. June 4th, 1880.
2. Mr. Seward's response. 49/1880. June 5th, 1880.

Despatch No. 701.
Enclosure 1.

4/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in response.

I have had the honor to receive Y. E's despatch of the 27th ultimo, in regard to the prohibition of the sale of property at Wu-shih-shan, in which you remark that the United States treaty contains stipulations in regard to the acquisition of houses and lands by United States citizens and that your Government will insist upon the privileges there conceded: that it is not to be espected that your countrymen will unreasonably insist upon particular spots, but that it will be far better to determine whether a particular spot is or is not unreasonable when the case occurs than to arbitrarily decide in advance that a whole district at an open port is to be reserved from them; and you expres

the

the hope that I will instruct the provincial authorities of Fukien to observe the treaty as it stands and to withdraw the rules which they have proposed, etc etc.

In response I have to observe that as regards the prohibition of the acquisition of property at Wu-shih-shan, because of the gravity of the interests involved, the local authorities, in accordance with the treaties, issued their prohibition. Further they stated distinctly that it was the Wu-shih-shan district to which reference was had, and they did not assert their interdict to the acquisition of property throughout the entire limit of the treaty port. The action taken by China in this matter does not contravene the treaties, and hence there is no occasion to issue an instruction upon this point.

In regard to the withdrawal of the proposed rules, the proposal of the Provincial Authorities to

require

require sureties, an official deed of transfer, the payment of the proper tax, etc. has in view the prevention of clandestine transfers of the land in question by the native owners, and is manifestly in complete accord with that clause of the treaty which provides that the local authorities shall not interfere "unless there be some objections offered "on the part of the inhabitants "respecting the place", and, "the "legal fees to the officers shall "be paid for applying their seal".

Hence the rules in question are not to be regarded as new enactments, and there is in consequence no occasion for their withdrawal.

In this business I venture again to request Y.E. to take into further consideration the points submitted with my note of April 5th, and to instruct your Consul at Foochow to issue his notification that the regulations be obeyed this

will

will accord with treaty stipulations, and tend to promote harmony, which is much to be desired.

H. E. George F. Seward,
etc — etc — etc — etc

Peking, June 4th, 1880.

Despatch No. 701.
Enclosure 2.

4/9/1880.

Mr. Seward to Prince Kung,
Peking, 5th June, 1880.

I have had the honor to receive Y. I. H's despatch of the 4th instant in regard to rules for the purchase of lands at Wu shih shan.

Because the rules in question were advanced especially for Wu-shih-shan, and because the exemption of a whole district in all its parts from occupation by foreigners appeared to be the object in view, I have heritated to assent to them.

And if this is not the object, what really is the occasion for the rules? The treaty has been sufficient in the past, why will it not be so in future? It is not complained of as respects any other place, why should it not answer as respects the given locality?

It appears then far better, as I think, to abandon the proposed

(rules

rules and to stand upon the Treaty.

As to the disposition of the Legation in all such questions Y. I. H. knows that it is anxious always to meet the views of your Government and indisposed always to advance or sustain unreasonable claims. There is now no practical case at Foochow. When one arises we shall be willing certainly to consider it in all its features in concert with Y. I. H. and to reach an equitable adjustment.

I seize this opportunity to renew to Y. I. H. &c &c &c

(signed) George F. Seward.

File

Mr Adee

No. 702.

Legation of the United States.
Peking, June 9th, 1880.

George F. Seward to
the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions, numbers 358. to 367. inclusive have been received.

No. 702.

Legation of the United States.

Peking, June 9th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have had the honor to receive your instructions numbered respectively 358. 359. 360. 361. 362. 363. 364. 365. 366. and 367.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward.

Ask + refer to passport clerk C.T.

DEPARTMENT OF STATE
AUG
2
1880
RECEIVED

No. 113

Mr Adee
Mr Randolph

No. 703. One Enclosure.

Legation of the United States.

Peking, June 9th, 1880.

George F. Seward to the Secretary of State.

Subject.

Passports issued during 1879.

Synopsis.

Refers to despatch number 610, and forwards a corrected statement.

No. 703. One Enclosure.

Legation of the United States.

Peking, June 9th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:—

I beg leave to recall your attention to my despatch, number 610. of February 2d, with which a statement of the passports issued from this Legation during the year 1879. was handed to you. In that despatch I stated that no names nor personal descriptions for passports numbers 244. and 245. had been furnished, and that these necessary details would be sent

sent to the Department at a later moment.

The Consul General now informs me that passport blank number 245. has been returned to him unused. The Consul at Tientsin has also informed me that he issued two passports & during 1879, but it appears that, through a misconstruction of the regulations, he carried the fees received therefor to the credit of the Government in his accounts with the Treasury for the quarter ended December 31st, 1879.

I have the honor to & enclose herewith a corrected & statement, from which you will see that 15 passports were issued during

1/689.

during 1879, for which the sum of $75. is due to the Government. Of this amount $10. has already been paid by Mr. Consul Henry, and the balance will be passed to the credit of the Government in my account for salary.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Swain

Enclosure.

1. Corrected statement of passports issued during the year 1879.

Despatch No. 703.
Enclosure.

Passports issued from

January 1st 1879 to

December 31st 1879.

703 June 9

Passports issued during

No.	Name	Date	State or Country	Age
		1879.		
‡ ✓ 208	J. S. Mc Ilvaine	Dec. 10		34
‡ ✓ 209	S. A. D. Hunter	" 10		36
✓ 240	J. B. Forbes and family	Sep. 28		40
✓ 241	W. R. Lambuth	Sep. 22		24
✓ 242	A. P. Parker	Aug. 25		27
✓ 243	I. J. Kreyer	Oct. 24		35
✓ 244	S. R. J. Hoyt			40
✓ 246	L. J. Bradbury	June 14		40
✓ 247	C. Bell	" 3		27
✓ 248	J. H. Vail	Mar. 13		40
✓ 251	H. L. Devins	Nov. 5		46
✓ 252	W. P. Markham	" 6		43
✓ 253	C. H. Patterson	" 8		26
✓ 254	D. Weld	" 26		42
✓ 266	H. B. Morse	Sep. 23		25

Peking, May 24th, 1880.

‡ Fees remitted to the Treasury Department 4th quarter 1879. by Mr. Consul Denny.

the year 1879.

Height	Eyes	Nose	Hair	Face	Complexion.
5. 6	dark	large	light	oval	fair
5. 7	blue	"	"	"	"
5. 8½	"	aquiline	brown	"	pale
5. 8½	"	roman	"	thin	"
5. 10	brown	stub	—	oval	dark
5. —	dark	ordinary	dark	"	"
5. 8½	brown	regular	brown	"	"
5. 9½	"	roman	black	"	"
5. 6	grey	stub	light	"	fair
5. 6½	"	roman	"	narrow	light
5. 4	dark	prominent	black	thin	dark
5. 10	blue	aquiline	brown	oval	light
5. 4½	grey	"	"	"	"
5. 7	blue	grecian	red	round	fair
5. 6½	brown	straight	brown	oval	dark

United States Minister

Let it remain?
and returned. Thanks
are due with copies for
the Corporation. Return the
Chefoo Dept. No. 53.
to Legation
with Enclosure
Mr. Adee
Sept 2d/80
for
Mr. Adee

RECEIVED
AUG 2
1880
DEPARTMENT OF STATE

No. 704.

One Enclosure.

Legation of the United States.

Peking, June 10th, 1880.

George F. Seward to

the Secretary of State.

PRINTED.
ON RELATIONS
1880

Subject.

War power of China.

Synopsis.

Refers to Mr. Seward's despatch, number 555, and forwards copies of the Consular reports upon this subject.

F.R.

No. 704. One Enclosure.

Legation of the United States,

Peking, June 10th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Referring to my despatch number 555., with which I transmitted to you a copy of a circular addressed by me to our Consular officers in China, asking for information upon the coal power of China as indicated in their respective districts, I have now the honor to hand to you copies of the responses which have been received

No. 704.

received.

These include reports from all our officers, except Mr. Shepard at Hankow, and embody much interesting information upon the subject.

I have the honor to be,

Sir,

Your obedient servant

Geo. F. Seward

Enclosure.

1. Reports from the United States Consular officers upon the war power of China

Despatch No. 704.
Enclosure.

Mr. Goldsborough to Mr. Seward.
No. 103. March 25th, 1880.

Sir:-

In reply to your No. 88. requesting me to report to you upon the war power of China, including the condition of the army and navy, and of the forts, arsenals and training establishments of this district, I beg to state that I have endeavoured to procure the desired information and herewith submit the result of my investigations.

At the entrance of Amoy, on the Eastern side, there is a battery some 1500 feet long, commonly called the "20 gun battery", and is guarded by a few hundred soldiers. There are several other smaller forts and batteries on the South Western side of the harbor, but they are not of much consequence.

There is no training establishment nor arsenal here, and with regard to the

the land forces, I have not been able to procure any information which would be reliable, but from my own observations. I should fancy that they are very limited and of trivial consequence.

I may here state that we have now and then a number of Chinese gunboats but these, I am informed, belong properly to Foochow. As to their efficiency I am unable to speak.

I have addressed no despatches to the Authorities here relative to the subject, but would have done so had I not been informed that little information could be derived from them.

I have the honor etc.
(signed) W. Elwell Goldsborough.

copy.

original of this returned to Legation per Sept 24. 1880 Mr Cridler

No. 53. United States Consulate,
Canton, March 15. 1880.

Hon. George F. Seward,
United States Minister,
Peking.

Sir:

Pursuant to the request contained in your despatch No. 74. I now have the honour to submit to you such facts as I have been able to obtain, bearing upon the war Power of this Province, Army of Kwang tung. The number of regular troops allotted to the whole of Canton Province, is stated to be from 60.000 @ 70.000. These are divided into the active forces and the garrison forces, the first category drawing higher pay than the second. The pay of a Soldier is 9 mace 7 candareens, or equivalent to about $1.25 per month. To this is added a certain quantity of rice a month. When on

active service, I understand that an additional allowance is frequently made by the Provincial Administrative Office, which amounts in some cases to about $13. per month. Most of the fighting on land is done by "Braves" or irregulars, (See Mayers Chinese Government page 59) who are paid from 6 to 7 per mensem for each man.

The real centres of military strength in the Canton Province are Wei Chow, Canton, Shin Kuan, Swatow, Chin-Chow, Lungmen, Hainan, and Kao-Yao. The number of forces stationed at these places is put down at from 10.000 @ 12.000 in all and are mostly equipped with foreign rifles. Most of the forces stationed inland are armed with Jingals.

The Chu-jang, or Manchu garrison stationed at Canton is estimated to number about 3.500 men, including infantry and cavalry, 2000 of which are drilled after the European fashion.

This garrison is under the command of a Tartar General, and two Lieut. Tartar Generals. The majority of this force is assigned to guard duty while some are employed at the various Tartar Yamens in the capacity of clerks and assistants.

The pay of Manchu soldiers varies from $3 @ $6 per month. Petty Offices such as corporals and warrant Officers receive from $7 @ $10 per month.

Navy

The Chinese Navy of Canton consists principally

of native craft. I am informed by a Captain in command of one of the Vice. Roy's Gunboats that there is a very Large fleet of junks of war, plying in the Canton waters. They are armed with from 2 to five guns, ranging from 12 to 18 pounds.

The principal naval station is at "the Bonge", where the Chinese Admiral-in-Chief has his Head-Quaters. There are also in addition to these junks of war about 12 Foreign Gunboats under the control of the Vice-Roy, five of which are commanded by English and French officers. of those commanded by foreign officers there are two carrying each seven guns of Armstrong and Krapp manufacture - viz: 1.70 lbs Armstrong.

2.20 " } Krapp.
2.18 .
2.12 . }

The other three carry each 4 guns, and 12 and 18 pounds Krupp. The seven vessels commanded by Chinese officers are armed with from 3 to 4 guns, 18 to 24 pounds Krupp.

It is impossible to ascertain the exact number of men in the Canton Navy, but I understand that there are not more than 3000 regular marines.

Forts.

During the past three years the Provincial Government has built five new forts, all of concrete, and said to be formidable defences. There are three at, or near, "the Bogue" comonly called "the Bogue Forts," one between this and Whampoa, and another about three miles from Canton City, on the Southern branch of the Pearl River. These forts have not as yet been

supplied with guns.

Arsenals.

There are three Arsenals (so called by the Chinese) within this Consular district, one at a place called Tsing Pu, about four miles North of Canton; one at the South gate of Canton and one at Whampao.

The Tsing Pu Arsenal, was established about four years ago. It is the largest establishment of the kind in the Canton Province, and it is fitted with very heavy machinery of English manufacture.

There is a powder factory attached to the Arsenal where the Chinese have been manufacturing powder for the

past year and a half. Several small vessels (Steamers) have been built at this place, ranging from 100 to 200 tons burden but owing to the small depth of water in front of the ship-building yards, I do not think that any other but small vessels can be built there.

South Gate Arsenal.

This is a small establishment and the principal work done there is the manufacture of machinery, frigats, and cartridges.

Whampoa Arsenal.

This was formerly the Hong Kong and Whampoa Dock Company which was purchased by the Provincial Government some three years ago. The only use the Chinese have made of this place, thus far has been docking and re-

pairing the foreign built steamers belonging to this Province.

There are no training schools at any of these establishments such as at the Foo. Chow Arsenal, where Navigation Mechanics &c. are taught. Most of the workmen employed at the above arsenals are Chinese who served an apprenticeship in foreign machine shops, boiler factories, and ship-building establishments.

Mr. Williams at Swatow writes as follows:

War Power of China.

From personal inspection in this part of the Chinese Empire, I am satisfied that no serious opposition could be made by the Chinese local officials to the invasion of this part of the Empire by any nation having the inclination to do so. It is true

there are some seven different forts within a radius of 40 miles, only one of these being good for any thing, having one gun mounted in it at present, with embrasures for about a dozen others; that is the new fortification built some two years since at Khalat, about two miles below the town: the remaining six are in a state of ruin and decay, with a few old rusted cannon half buried in the mud, in and around the ruins.

buried

On the occasional visits of some military officials a display of banners is made from the walls of these old ruins and a few coolies are employed and dressed up as soldiers for the occasion. From continued inquiries in various quarters

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buried

On the occasional visits of some military officials a display of banners is made from the walls of these old ruins and a few coolies are employed and dressed up as soldiers for the occasion. From continued inquiries in various quarters

and information received, I am quite satisfied that a large proportion of the troops in this part of the Province of Kwang-tung exists on paper only; and in numbers make a good show on the pay roll. I have no doubt, however, but the military mandarins could procure a number of recruits in case of an emergency; troops of this kind would naturally be deficient in drill, poorly armed and lacking the knowledge of modern warfare, and would make but a poor resistance against drilled troops, equipped with the modern implements of war.

I may safely say that not more than five thousand troops armed with foreign weapons exist in this part of Kwangtung Province, who

understand anything about foreign drill — the majority being armed with flint locks, spears, and pikes and know nothing about foreign drill; the total of all arms at present do not amount to over nine thousand and these are scattered through the different districts.

Vessels of War.

The Chinese have no modern war vessels stationed here, but the port is occasionally visited by one of the Foo-Chow gun boats, which remains but a short time. One small Chinese lorcha with four rifle cannons 9 pounders, remains in and around this port, looking after smugglers, and some eight or ten war junks are stationed at the Island of Namao some thirty miles distant, which is the head

station of the Chinese Admiral. Serious damages could be inflicted on the Chinese by an enemy having the control of this port, as several rich and important cities are conveniently located to Swatow, the centres of an extensive import and export trade; all of these places can be reached by the boats or fleets of an enemy, and but a very few troops would be required, if assisted by vessels of war, to completely destroy innumerable towns and villages in addition to the walled city of Chou-chou fu, Tit Yang and Chou-Chou Yang. The latter with a population of 155.000, the next about 130.000 and the former with a population of about 300.000

Arsenals. The Chinese have no places of this kind

here, I have been lately informed that at the City of Kit Yang, some forty miles above Swatow on the main river, which is the home of Ting Fu-tai "the ex-Governor of Fuh Chien, there are, a considerable supply of gun-powder stored, and a few hundred stand of rifles of foreign manufacture.

It is also known here that the Chinese General Fang, locally named Pang Tye Gui, has been for some few months past employed in the manufacture of gun-powder, in the vicinity of Chow-Chow-Fu; he has in his employ a Chinaman educated in France and is a Chemist, who, I understand, is managing the powder factory.

I have the honour to be Sir,
Your obedient servant,
F. D. Cheshire,
Vice Consul in charge.

Mr. Scruggs to Mr. Seward.

No. 19. February 9th, 1880.

Sir:-

In compliance with the request contained in your No. 59. of the 10th ultimo, I have the honor to submit a brief memorandum of the war-footing of this Empire within this Consular district.

At Kiang Ying on the opposite shores of the Yangtsze River, about half way between here and Shanghai, are substantial fortifications, armed with brass guns, so arranged as completely to enfilade the river passage. The number and calibre of these guns, as also the number of the garrison, is not known. These fortifications are of recent completion, though began some years ago.

The next fortifications above, are those at Silver Island, about a mile below Chinkiang. The navigable channel at this point

is

is the narrow rapid current between the bluffs of the island and those on the opposite south bank of the river. The North current is wider and less rapid, but too shallow for heavy draft vessels. Both shores opposite the island, as also the island itself, are strongly fortified. Those on the South bank and on the island, and which completely enfilade the pass, are particularly strong. Indeed, engineers have pronounced them impregnable. They are armed with Crook guns of large calibre, and manned by a strong and well disciplined garrison.

On the opposite shores at Nanking, are similar fortifications with Crook guns.

Chingkiang is a garrisoned city. Its present available force is about 2.000 infantry and cavalry; nearly all Manchus, most of them natives of the place. The Manchus

(are

are arranged and drilled under different banners according to their tribal traditions and usage, and armed with match locks. The commander (a Manchu of course) has the rank of Brevet Lieutenant General, and is under the immediate command of the General at Nanking.

On one of the high hills outside the city walls, and commanding its approaches from inland south west, is a large stockade of recent construction, garrisoned by some 600 men, armed with matchlocks, together with some 15 field pieces of 6. and 9. pounds calibre.

The mode of drilling (except for the Manchus) is that in use by the British Government. The words of command are given in English. The reason assigned for this is, that raw recruits will learn them quite as readily as those given in Chinese, since both sets of terms and methods are equally new to them, and that

(it

it will prevent confusion, should a foreign commander be called to the service.

The only soldiers in the District that are armed with breach loading rifles, are those of the Viceroy's guard, some 6,000 strong, now stationed at Nanking.

Foreign powder, imported and sold only by special permission (and then only for the use of the regular troops) is principally used. The native powder is coarser grained, and thought to be more liable to accidental explosion. The high provincial authorities take good care to have as little of this (or any other) powder in the hands of the people as possible. Indeed, they seem to be constantly on the watch for possible insurrections. The lead used, is imported (in pig form) from England, or through English agents.

Military preparations continue quite active, and seem to be directed mainly to the defenses of the country;

and

and have, for months past, received more attention from the provincial authorities than any other branch of the public service.

I am, Sir, etc.,

(signed) William McScruggs.

Mr. De Lano to Mr. Seward.
No. 155. March 12th, 1880.

Sir:—

I have had the honor to receive your despatch No. 97. in which you request me to report to you such facts as I may be able to obtain bearing upon the war power of China, including the condition of the army and navy, and of the forts arsenals and training establishments of my Consular district.

I regret to have to say in reply that at the moment I cannot give you any reliable information on the subject. Such information, if obtained at all, must be gathered from the Chinese, and to be at all reliable, must come from official sources, and the extreme reticence and suspiciousness of the officials when information on such subjects is openly sought

for

for by foreigners render it very
difficult to obtain from them
any reliable data for such a
report as you desire,

If, later on, I should obtain
such information on the subject
as would enable me to give you an
intelligent and reliable report
I shall have much pleasure in
submitting one.

I have the honor, &c.

(signed) M. M. de Lano.

Mr. Bandinel to Mr. Seward.

No. 43/626. March 30th, 1880.

Sir:

I have the honor to own receipt of your communication of 10th January, No. 63. wherein you desire me to report on such facts as I may be able to obtain bearing upon the war power of China, including the condition of the army and navy, and of the forts, arsenals, and training establishments in my district.

After careful enquiry I am able to lay before H. E. the following information upon the subject named.

There are in the three Manchurian provinces 100,000 Tartar soldiers, i.e. In Shinking 30,000. In Kirin 40,000 and in Tai Lung Chiang 30,000. These soldiers are not at present in active service, but are distributed about the provinces tilling the ground allotted them by the Imperial

Government

Government which, in addition, pays them a monthly allowance of 2. Ts. They are not permitted to engage in any other business, and are liable to be called out at the requisition of the Government; when they would be formed into infantry and cavalry as the nature of the circumstances demanded; the tactics of which would be the ancient drill of China.

According to established rules, these soldiers should be drilled once a month; but this seems to be almost a dead-letter; as they are really only manœuvered once or twice in a twelve-month.

At Moukden, Capital of this province, there are stationed 600 foreign drilled troops, from Tientsin, at Fing-Hwang-Ching (Corean Gate) there are 500 more under the Taotai of that place; and a like number stationed here styled "The Taotai Guard". There are no

foreign

foreign drilled troops in the other two provinces, although in each there are from 2000 to 3000 Manchu soldiers being instructed in foreign drill.

There is no naval establishment of importance in my district. The only one of which I can learn is at Kirin described by the late Mr. Consul T. T. Meadows in the following words:-

"Chun Chang or Navy Yard,
"officially called "Kuh lin" and known
"to foreigners as Kirin, is the capital
"of the North Easterly Manchoorian
"province Kirin x x x x x x x x x.
"It owes its existence as a provincial
"capital, and its subsequent growth,
"to hostile parties of Cossack
"adventurers who, about 200 years
"ago, ascended the Amoor, and
"came up the river Sungari in
"river-craft. In his measures to
"repel them, the then Hwang ti,
"Tanghe, moved the military governor
from

"from Ning Ku ta to Kirin; at which
"he, at the same time, established
"a Chun Chang, or navy yard, where
"river war craft were constructed to
"aid in the defensive operations" x
"x x x x x The navy yard
"still exists, and a number of
"vessels in good condition, some
"quite new were laid up in it when
"I was there - (1867. or 68.) They are
"one masted craft of about the
"size of small lorchas."

I may remark that during the greater part of the open season there is in this port one or more of the Foochow Arsenal foreign-type gunboats, under the command of, and manned by Chinese, but partially foreign disciplined.

At present there is no fort in my district, but it is stated on good authority that the Taotai has been instructed to erect one at the West of the native town of Yingtsze, on the left bank

of

of the river Liao; and the location has already been decided upon by him; and the work is to begin at once. It is rumoured here that Dung Ching, the Szchuen Ti Tu, (Commander in Chief) at present in Honan, has been ordered to transport to this place 100.000 troops. Taking the standard of one soldier representing four, this means that 25.000 soldiers are to be quartered here; the first detachment of which 10.000 (2.500) is expected to arrive within 3. or 4. days. For the truth of these statements I cannot vouch, but the active construction of barracks, is going on; and two encampments are already laid out, near the site of the projected fort.

I may have occasion to address Y. E. a further communication on the subject of this despatch.

I have the honor, etc.

(signed) J. J. F. Bandinel.

U.S. CONSULATE GENERAL APR 2 1930 SHANGHAI

No. 112. Copy.

United States Consulate,
Singapore, Feb. 26, 1880.

Hon. George F. Seward,
United States Minister at
Peking:

Sir,

In reply to the request made in your dispatch, No. 57, dated the 10th ult., that I should report to you such facts as I might be able to obtain bearing upon the war power of China, including the condition of the army and navy, and of the forts, arsenals, and training establishments of this district, I beg to submit the following notes.

1. In speaking of the army and the navy of China, it is needful at the outset to observe that these institutions are very unlike those to which these names are given in the west. The armies and the navies of England, France, Germany,

Germany, and the United States, though differing as to size, make-up, and equipment; are yet all organizations. Each is a body, made up indeed of many parts, but of parts in which there is a mutual relation, and a mutual dependence. And this body, however complicated, however vast, is governed by one law, animated by one spirit, and moved by one mind. An army of the nation to which it belongs - the life of that nation lives in it, and the will of that nation controls it. The case is different here. Here there are men called soldiers, but there is no army; there are vessels called men of war, but there is no navy. Materials there may be adequate for both, but they are only materials, they are not yet constructed. In other words, the war power of China is essentially wanting in organization. Bearing this in mind there will perhaps be no

objection

objection to the use of these terms, army and navy, in our notes on this subject.

2. There is in this province, as I suppose there is in each of the others, what in theory resembles a standing army. That is to say, there is a certain number of men enlisted and employed as soldiers. They are commanded by officers of various ranks, under the control of the Ze-lieh, or provincial General. The Ze-lieh of this province has naval, as well as army, jurisdiction. And for this reason he resides at Ningpo, the provincial port, rather than at Hang chow, the provincial capital. This officer is not in our sense of the terms, either a naval or a military commander. He seems to be a sort of provincial Secretary of war and of the navy. His jurisdiction and his powers are certainly large, but his knowledge of the matters over which he is placed must be very

limited

limited. He is supposed to know the number and location of his soldiers; the kind of gun-jingall, matchlock, or musket — which they bear; the names and commands of his subordinates; the amount of pay which soldiers and officers receive; and such like matters. He is supposed to know also when, where, and how many, soldiers are needed, either to man forts, hold positions, or to put down disturbances. And to a similar extent his knowledge and authority extend to the vessels of war belonging to, or serving within, his district. But in matters of practical warfare, such as army organization and discipline, navigation, naval architecture, gunnery, army and naval tactics, as they are understood in the west, he has probably very little theoretical, and no practical, knowledge. What then, one might ask, is he good for?

Well,

Well, in war, as it is carried on among western nations, he would be good for nothing. But he has his place here. The war power of this province, such as it is, needs a head. And the head that he makes has at least this to recommend it; that it is suited to the body. And, it may be added, both are in keeping with the ideas and institutions of the country.

3. The number of soldiers enrolled in this province is not always the same. A few years ago it is said to have been some 34,000. The present number is said to be about 20,000. And it seems to be regulated in this way. The Ze-tuh, the officer of whom I have spoken, is presumed to know the number, kind, and equipment of the soldiers needed to defend and ~~kee~~ keep in order his district. He reports on these matters to the Lieutenant Governor, or to the

Governor

Governor, or to both, and through them, or with their concurrence, to the head Government at Peking. And the order received in reply settles, in theory, the matter. I say "in theory", for in this, as in many other things here, theory and practice are not always the same. If the general Government assents to the enrollment of 20,000 soldiers in this province, it must of course allow the expense for the pay and equipment of this number to be deducted from the provincial revenue. This being understood it is easy to see that those in charge of the matter might, if so inclined, actually employ a number considerably less than that reported as raised, and appropriate the amount thus saved to objects nearer home. Common report says that this is done, and done to a very considerable extent. And common report, in this

this matter, is very likely correct. There is no way to ascertain the actual number of soldiers in this province. But I should be inclined to place it below rather than above 10,000. This number — or the number whatever it may be — is distributed in larger or smaller detachments throughout the province. The nominal number assigned to Singapo and its surroundings is betwixt two and three thousand. This includes also those who serve on board the gunboats.

4. The land forces of this province are infantry. The country, owing to the want of roads, and to the numerous canals and water courses, is adapted to the use of neither cavalry nor artilery. They are armed mainly with jingalls, matchlocks, and muskets. These jingalls and matchlocks are very rude and unwieldy

weapons

weapons of war; and they could be of very little use in conflict with arms now used in the west. The muskets are foreign made. But only a small number are in use; and those in use are most likely of inferior kind.

5. Chinese soldiers are poorly paid. Each man is allowed a pound or two of rice per diem, and in addition a little money. The monthly pay of a soldier, including his rice, would probably not exceed four dollars a month. No clothing, I believe, is found him, except his uniform. This consists of a course blue cotton jacket, with some red trimming, and with some letters stitched on the front and back. The whole cost of this garment would probably be less than a dollar. And it is of very little use, except to indicate that the person wearing it is a soldier.

6. These soldiers are not only poorly equipped, and poorly paid, but they are poorly disciplined. Indeed, they can hardly be said to have any discipline. A large number of them are engaged in other pursuits, and are seldom or never called upon to render any military service. And even those supposed to be in service are only to a very limited extent charged with the duties of ordinary soldiers. Their mode of life is essentially idle; and their idleness results in demoralization. Thus badly equipped, badly paid, and badly disciplined, they could not, one would suppose, be of any great benefit to their country. They may be, and probably they are, of some use in putting down, or preventing, local disturbances, though in doing it they are sure to commit extortions and cruelties of every kind. But the protection which they could afford

their

their country, in case of hostile invasion, would probably be very small. The soldiery of this province a few years ago, when called to face the long haired rebels, were not only weak, but they were utterly contemptible. It was said of them, and I believe with entire justice, that they were more formidable to their friends than to their enemies. They may have improved somewhat since then. Yet even now, were similar troubles to arise, is it likely that their behavior would be such as to redeem them from this old contempt? I think it very doubtful.

7. On the whole then, the war power of this province, so far as concerns the number, character, and equipment of its soldiers, does not seem to be very formidable. Formidable no doubt it would be in attacking and cutting down unarmed

peasants

peasants, and in burning and ravaging their districts. But placed face to face with well armed and well disciplined troops it would not, and could not stand.

8. The fortifications that are kept up in this province are not numerous; and most of them, I should judge, would be of very little use in case of hostile invasion. An exception to this remark should perhaps be made in favor of a fort of some pretentions recently built at the mouth of the Ning po river. I have not visited this fort myself; and I can give no better account of it than that found in the Reports on Trade at the Treaty Ports in China for the year 1875, page 181, and which, to save the trouble of reference, I will here copy. "The out station of Chinhai has been some time in the hands of the military engineers. A large fort is being built there on

the

the extremity of the citidel hill on the left bank of the river. This fort is being built after Foreign designs, I believe supplied by Germans. It stands about sixty feet above the water, and commands the entrance to the river. The direct line of fire of the guns bearing (as far as I could judge) on the Seaou Gew Spit buoy. This fort, which is being built of native stone, is intended to be bomb-proof. The guns will be mounted on three platforms, four on the lower, three on the next, and one on the top. The lower ones at least will be mounted en embrasure, the openings being plated with iron to a thickness of about three inches, and provided with riveted iron doors of about the same thickness. The guns on the lower platforms are English made, of rather early date, but I believe they have been bored out and rebined. The pièce de résist-

ance

ance will be mounted on the upper platform. It is a large breech-loading 10-ton Krupp cannon, mounted on a carriage worked by hydraulic power, and made to train over an arc of some 150°. It was brought here on the 5th June in the Chinese gun-vessel Fu-po, and remained for some time on board pending the devising of some means of getting it landed at Chinhai. After some three or four months, it was landed close under the fort and raised to the necessary elevation on a series of wooden platforms securely fixed into the rock. I have not yet heard of its being mounted. The estimated cost of the whole fort is put down at 40k. Hs. 80,000. The work is being principally done by soldier labor".

There was a fort in the process of construction in the harbor of Ting-hai at Chusan, in the summer of 1876. I saw it at that time. It was built of stone. Its form was round

or

or polygonal. Its walls were some seven or eight feet high, and some five or six feet thick. It had ports, I think, for some five or six guns, and quarters sufficient to accommodate some 50 soldiers. The work was yet unfinished. No guns were seen in or about the place. The work appeared to me unsubstantial, and good for nothing against heavy cannon shot. I do not know whether the work has been completed. But I suppose it has.

There are two forts that I have noticed on the banks of the Yinchow river. One is at the city of Yinchow, a little east of the city wall; the other is on the opposite bank of the river and several miles farther down. I have not seen the inside of either. But I should judge them to be frail structures, and with no effective armament.

9. There is no arsenal, or place

where

place where arms are manufactured, or ships are built, in this province. The war steamers on this station - there are three of them now - one built at the Foochow Arsenal. Two of these vessels are stationed at Ningpo, and one at Wenchow. This vessel is but recently built. She was waiting for her armament a week or two ago. These three vessels, both in size and equipment, are very respectable. And in war, if well handled, they would no doubt do good service. They are commanded and worked entirely by natives.

I have the honor to be,

Sir,

Your obedient servant,

Edward C. Lord,

U.S. Consul.

Duplicate

No. 35] Feb. 3rd. 1880. United States Consulate at Tientsin,

Mr. Denny Consul. to the Legation at Peking,

Subject:— The war power of China.

ABSTRACT OF CONTENTS.

Reports that few changes of importance have been made within this Consular jurisdiction since General Upton's report to the War Department in December 1877.

Duplicate

No. 35

United States Consulate.

Tientsin, Feb 3rd 1880

Honorable G. F. Seward
U.S. Minister
&c. &c.
Peking.

Sir,

Referring to your dispatch No. 70, requesting me to report to you such facts as I may be able to obtain regarding the war power of China, the Condition of her army, navy, forts, arsenals and training establishments, I beg to say in regard to the questions generally, that as my experience with them is limited, perhaps the most appropriate thing I can do is to refer to the valuable report of that accomplished soldier and military critic General Upton, upon the war power of China, contained

between

between pages 12 and 32 and continued
on page 389, - made to the War
Department in December 1877.

The condition of the army, its numbers
and kinds of arms used, are about
the same as when the General visited
China. The Navy in these waters
now, instead of consisting of two wooden
gunboats as it did then, has had
added to it eight small iron gunboats,
each with one 35 ton gun, which are
intended for harbor defence only.
These additions, as well as all other
military and naval changes, have
hitherto been fully reported to the
War Department at Washington by the
Commanders of the different U.S. gunboats
visiting this Port.

The number and condition of the
Forts

Forts remain the same, the only increase in strength being the addition of a few medium sized Krupp guns.

There are two Arsenals at Tientsin, and a recent visit to these showed them to be apparently in good working condition.

As to training establishments I am not aware that there are any such in my district, except the Torpedo School, which is now closed temporarily.

The truth is that the war power of China appeared so weak to General Upton that it failed to elicit from that distinguished Soldier at the time of his visit here one word of Commendation for the present or a hope for better results in the future, - as will fully appear from one of the concluding paragraphs of his

Report

report wherein he says:- "China, secure in her admiration of the wisdom of past ages, attaining the highest stage of pagan civilization Centuries before her Competitors sprang into existence, remains motionless, a prey to corruption and discord. Without well-organized forces, without good roads or other means of speedy concentration, her seaboard provinces, and even her Capital, lie at the mercy of her enemies.

I am,

Sir,

Your obedient servant

O. N. Denny

Consul

Copy for Bureau of Education, Interior Dept. Aug. 13. 1880. Asst. Clerk

Ack d. T.

DEPARTMENT OF STATE AUG 2 1880 RECEIVED

Mr Adee

No. 705. One Enclosure.

Legation of the United States.

Peking, June 11th, 1880.

George F. Seward to the Secretary of State.

PRINTED 1880

Subject.

Education of Chinese in foreign branches.

Synopsis.

Refers to Hon. Seward's despatch, number 600., and forwards copies of the Consular reports upon this subject.

F.R.

No. 705. One Enclosure.

Legation of the United States.

Peking, June 11th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:—

I have the honor to hand to you herewith copies of the 1/705. answers which have been & received from our Consular officers in this Empire to the inquiry made in a Circular addressed to them, as to efforts being made to educate the & Chinese in foreign branches of knowledge, either by the Government of China, by private

private enterprise, or by missionary effort. The circular referred to was forwarded to the Department with my despatch number 600.

While these reports are not as full as I could have wished they still furnish an outline of the work which is being done, and may be of interest to the Department.

I have the honor to be,

Sir,

Your obedient servant.

Geo F. Seward.

Enclosure.

1. Consular reports upon the education of Chinese in foreign branches.

Despatch No. 705,
Enclosure:

Mr. Goldsborough to Mr. Seward.
No. 107. April 23rd, 1880.

Sir:

In response to your despatch No. 86. of February 27th, 1880, I beg to state that there are 2 private English schools at this port for the education of Chinese conducted by ~~straits~~ native born Chinese who possess a fair knowledge of the English language, but there is no institution of the kind founded or supported by the Government.

The missionaries have several schools of their own for the tuition of Chinese boys and girls in the Chinese language.

I have the honor, etc.
(signed) W. Elwell Goldsborough.

Mr. Cheshire to Mr. Seward.

No. 55. March 29th, 1880.

Sir:—

I have had the honor to receive your despatch No. 78. calling upon me to furnish you with such information as may be available to me in regard to the education of Chinese in foreign languages within this Consular district, whether in schools founded and supported by the Chinese Government, or by private enterprise, or by missionaries as far as the secular branches are concerned and also to report upon the schools established at Hongkong by the Colonial Government.

I now beg to submit the following report:—

The Tung wen Kwan is the only scholastic institution under Government auspices for teaching foreign knowledge in Canton. It was established by order

order of the Tsungli Yamen about 16 years ago, it is under the official control of the Viceroy, the Haikwan, (superintendent of customs) the Tartar General, and two Lieut. Tartar Generals, but the practical control is left almost entirely in the hands of the Tartar General, to whom it affords opportunities of patronage, for the staff is large and the members thereof not only benefit by the salaries they receive, but their official appointments as officers of the College (Tungwen Kwan) forms a stepping stone to promotion in other branches of the public service. The staff consists of three Superintendents, the chief of whom holds rank about equivalent to that of a Major General, three Chinese teachers, a foreign teacher with a Chinese assistant, two Chinese clerks, doorkeepers, cooks; and other servants. The number of students is fixed at thirty, of whom twenty are classed as students proper and ten

ten as supernumerary students, the latter being intended to fill vacancies as they occur in the former, and when from various causes the total number falls to twenty or twenty five, fresh supernumeraries are added to make up the number. The students proper receive a small pay of three taels a month, but the supernumeraries receive nothing except a free breakfast every day.

It is difficult to define the raison d'être of the Tsung wen kwan College; in theory it is established to provide the Chinese Government with a staff of Interpreters and persons conversant with foreign literature and foreign habits of thought; but so far as can be judged by patent facts, the patronage above referred to is the element most appreciated; and it may be well to notice the extent to which the theoretical object has been carried out, and how far the Chinese

Government

Government has availed itself of the material for the production of which something like eight hundred dollars a month has been expended for the last sixteen years in the maintenance of the College.

About ten years ago fourteen students were drafted from Canton to the Peking College of these - five have retired from various causes, six are still attached to the Peking College, and the remaining three have appointments in Legations abroad, one in Washington, one in London, and one in Japan. Since 1870. not one student has been drafted to Peking; not one of the Canton students has in any way been called upon to render service to their Government; most of them have received an honorary literary degree (Hsiu Tsai) equivalent to B.A. and three or four of them are nominally interpreters for

which

which they receive a small additional pay. Year after year passes and boys of 17 grow up to be men of 27, marry and become fathers and go on with their foreign studies without so much as a word of encouragement from their own authorities. Under such discouraging circumstances it must be that studying is often done in a perfunctory way, and yet, while some of the students have, as I understand, a very good knowledge of English, wanting only practice outside the school walls to render it equal to that of any Chinaman who has not had the advantage of living abroad, they constantly witness men of less technical knowledge than themselves, men of lower stamp altogether, men picked up here and there without any proper steps being taken to ascertain their fitness, called upon to perform the very duties for the performance of which the students

of

of the Tung wen Kwan are in theory specially educated.

The course of study, I am informed, consists chiefly of the English language, together with, but subordinate to which there are Geography. Arithmetic, History, Algebra, Mathematics and Astronomy. A very small proportion of the students have made any progress in Algebra or Mathematics, few are even fair arithmeticians, and much that they are called upon to learn of geography history and astronomy is soon forgotten; this arises from no want of ability, but from an utter want of encouragement on the part of the Chinese authorities, for the students to trouble themselves with such studies. Without a reasonable knowledge of the language they are liable, on the motion of the foreign teacher, to be dismissed from the school, and in the acquisition of that they are to some extent buoyed up with hope, a hope that sometimes becomes

becomes lamentably faint - that the language will ultimately be of service to them, but with respect to the other branches, I am given to understand, no person in authority except the foreign teacher seems to know or care whether they are taught or not. The students consist almost entirely of Tartars (including bannermen) originally about 1/3 were Chinese, but it was found that after learning English at the expense of Government, these latter generally disappeared, the Tartars are much more bound to the Government, and are loyal both from training and self interest. As young men they are far more a noble and honorable in their character than the Chinese, lacking in a great measure, the low cunning which characterizes the latter, especially when they get official employment, but it is hard to say how far their natural nobility and honor would suffer if they were thrown into that

(vortex

roster of corruption and dishonesty which pertains to official life.

I am informed that there has for the past year or two been an intention to add a German and a French department to the Canton College and that extensive premises have been erected for this purpose, but some difficulty about funds seems to have caused further steps to be postponed.

Private Schools. There are no private schools worthy of the name, in Canton, for teaching foreign languages. Now and then a small school is opened in which English is professed to be taught by a man whose knowledge of that language is too limited to fit him for other employment, and after a brief struggle these schools die out one after another. There is no doubt that the advantages offered by the Government schools in Hongkong are too great to enable private schools

(in

in Canton to compete with them,
Missionary schools. None of
the Missionaries in Canton teach
English or any other foreign language
to their Chinese pupils now, nor have
they for some years. They found by
experience that it was very difficult
to teach English to their pupils
because of their inaptitude to learn
Western languages; that the object
of the majority who came to their
schools (formerly) to learn English
was simply to get a sufficient knowledge
of that language to enable them to get
some lucrative employment with
foreigners and as soon as they had
acquired a little smattering of
English they disappeared and passed
away beyond their Christian instruction.

I shall endeavour to furnish you
with some particulars in regard to
the schools established at Hong Kong
by the Colonial Government shortly.

I have the honor, etc.

(signed) T. D. Cheshire.

Mr. Scruggs to Mr. Seward.

No. 21. March 24th, 1880

Sir:—

I had the honor to receive on the 21st instant, your despatch No. 63. of the 27th February last. In response thereto, I regret to say there is not a school of any kind, native or foreign, public or private, secular or religious, within this district in which Chinese are educated by foreign methods or in foreign knowledge. The missionary schools are all conducted in the native language, and their curriculum confined to purely religious and sectarian instruction. A few young men among the native residents of this port, take lessons in the English language from a native interpreter educated at Hong Kong but now employed here in the Customs service. But they seek to know no more of our language than is barely necessary

to

to aid them in business transactions with foreigners; and what they do thus acquire is little else than the barbarous and childish dialect known as "Pidgin (Pigeon) English". I know of but one exception, and that is the case of General Wong, the military commandant here, an educated Chinaman who is ambitious to enter the diplomatic service of his country.

I am, Sir etc,

(signed) William L. Scruggs.

Mr. De Lano to Mr. Seward,

No. 164. May 5th, 1880,

Sir:-

I have had the honor to receive your despatch No. 109. asking me for such information as may be available to me in regard to the education of Chinese in foreign knowledge in this Consular District.

There are at the Foochow Arsenal two schools, one under English and the other under French management. In the former the number of students varies between 30. and 50., and the studies pursued are English, Arithmetic, Geometry, Geography, Grammar, Trigonometry, Algebra, and Navigation, In a 4½ years course the students receive from the Government a monthly stipend of 4 Dollars.

There is a naval and a mechanical branch of the same school each having an average of 25 students receiving

the

the same monthly allowance from the Government, which also pays a very liberal salary to the professors in charge.

The school under French management has about 40 pupils, in four divisions, studying French, Arithmetic, Elements of Algebra Geometry, Trigonometry, Analytic Geometry and Calculus, Mechanical engineering, Transmission of Power, and Friction.

The branches of this school are, a school of design and school of apprentices, the pupils pursuing many of the studies enumerated above, and receiving the same stipend of four dollars per month. The professor is also very liberally paid.

I know of no schools founded by private enterprise in which foreign studies are pursued. There are several schools for both males and females conducted by foreign missionaries, in which other than secular

branches

branches of study are pursued, say the elementary branches such as Geography, Mathematics, Astronomy etc, but all in the Chinese language.

I am unable at present to state the number of pupils usually in attendance in these latter schools.

I have the honor to be, etc.

(signed) M. M. De Lano.

Mr. Shepard to Mr. Seward.

No. 45. April 10th, 1880.

Sir:-

Referring to your No. 85, on the subject of educating natives in foreign sciences I have to report that I cannot learn of anything done in my district of any moment. At sundry times some foreigners wanting employment have opened small schools in Hankow intending to teach people of any age to read English. The results have been inconsiderable, as the enterprise has in all case been abandoned as soon as more lucrative pursuits have been available. Besides this, I know of no efforts made in the direction of your inquiry except some work of Dr. A. C. Bunn of the American Episcopal Mission at Wuchang who, before he left, gave some instruction to a few converts in the theory and practice of medicine. In his view, his results were encouraging, but not fully

fully developed.

I am informed also that Dr. Mauby, now located here in charge of the London Mission hospital, is preparing a system of instruction and intends soon to put it in operation, for the systematic training of native pupils in the principles and science of physiology, with surgical and medical training in a course of some years duration in connection with his important hospital work.

Beyond these I know of nothing done in the line of your investigation

I am, Sir, etc,

(signed) Isaac V. Shepard

Mr. Bardinel to Mr. Seward.

No 42/625. March 20th, 1880.

Sir:—

In response to Your Excellency's despatch No 66. I have the honor to state that, as far as I can learn, there is not within the three Manchoorian provinces any school founded or supported by native official or private enterprise in which foreign knowledge is imparted to Chinese students. From inquiries among the missionaries I learn that:

The Roman Catholics have a College under foreign supervision wherein 26 pupils are instructed in Latin, Philosophy, Theology and the elements of Geography, Mathematics etc. etc. and whence four pupils have been ordained as priests.

The Irish Presbyterian Mission has a boys school under the supervision of a clerical missionary, wherein

(20

20 scholars from 9. to 13. years of age are instructed in Geography, Penmanship and the course of (4) reading books used in the Government schools at Hongkong: they will learn, when more advanced, arithmetic and other subjects. There is also the nucleus of a girls school, only two pupils, supervised by the Missionary's wife who teaches them plain sewing in addition to the above branches of knowledge.

Mr. Carson also contemplates starting a day school in the heart of the city, in connection with the above mentioned which are held in his compound.

The Medical Missionary of the Irish Presbyterian Mission has in his own compound a boy's school with 15 scholars and in an adjacent building a girls' school with 9 scholars; many of these are too young to learn much, but the elder ones learn Geography (Wade's book) and

(three

three boys and three girls are taught to read and write English.

The Scotch United Presbyterians have a mission here, but apparently neither in their boys' school recently discontinued, nor in their girls' school which numbers 14 scholars, has any foreign secular education been, except indirectly, imparted. The girls, however, are learning foreign needlework.

I have the honor, etc,

(signed) J. J. T. Bandinel.

My dear Mr Bandinel.

In our boys school which we have now discontinued, our object was to give the children of our Church members a Chinese classical education, such as they would receive in a first class native school. Our principle was that the Grammar school at home. Outside of the regular lessons there was daily the "Religious Hour" or morning and evening class where I instructed them in Religious truth. I only bound myself to spend one hour per day with the scholars, and therefore never formally laid myself out to train them in foreign knowledge. But I have of course introduced all manner of subjects in my illustrations, making it a point incidentally to introduce whatever knowledge of historical and scientific subjects I myself possessed. The school room has always been well supplied with books. I think we have had almost every foreign work which

(has

has been translated, and we take in for the school. 1. The Globe Magazine. 2 The Scientific Magazine. 3 The Childs Paper. I have several times had teachers who took a great interest in these periodicals and who did what they could to make the subjects intelligible to their pupils. We still continue a flourishing girls school. We also teach the Chinese classics there and with great success. Though the classics are as it were taught incidentally and scripture history &c. forms the bulk of the teaching. The girls are being taught foreign needlework, but have not made any very great attainments. But in most case the direct teaching has been mostly on Chinese subjects, and we have trusted to the personal influence of the foreigners to communicate foreign knowledge.

Your sincerely

signed J. Macintyre

My dear Mr. Bardinel.

In reply to your letter of the 18th instant, I beg to state that the secular subjects taught in the school are geography, penmanship and the course of reading books taught in the Government school at Hongkong.

There reading books four in number in a graduated series, treat of a great variety of subjects, both foreign and native. As soon as the children are far enough advanced they will be taught arithmetic and other subject.

The school is a free boarding school supported by the mission and our object is to train for ourselves a staff of native helpers.

Believe me etc

(signed) James Carson.

My dear Mr. Bandinel.

The only secular instruction given in my school is in geography.

I have given half a dozen children three girls and three boys - lessons in English. The lessons are merely in reading and writing.

This is all I have to say in reply to your communication of the 14th instant.

I am Your very truly.

(signed) J. M. Hunter
Medical Missionary.

My dear Mr. Bandinel.

The only secular instruction given in my school is in Geography.

I have given half a dozen children three girls and three boys - lessons in English. The lessons are merely in reading and writing.

This is all I have to say in reply to your communication of the 18th instant.

I am Your very truly.

(signed) J. M. Hunter
Medical Missionary.

Monseigneur Dubail to Mr.
Bandinel.

Illustrissime Domine

Responsum breve Tuis
Excellentia vestrae super quaestionem
optimi Legationem gerentis ministri
pro Gubernio Americano in Peking

In Regione nostra Mandchouria
scilicet, In tribus Provinciis - Mouk-den -
Kirin - Sahalien nulla (quod sciverim)
extitit schola vel institutio á Gubernio
Sinarum fundata vel á privatis
civibus incepta in quâ alumni studere
possint Europeis scientiis et notitiam
aliquam acquirere artium exterarum
gentium.

Quod attinet ad Missionem
Catholicam quae curis meis demandata
est, unum fundavimus Collegium
in quo, Rectoribus R. D. Boyer et Hinard,
26 alumni student lingua latina
Philosophia et Theologia necnon
elementis Geographiae, Mathematicae

&c

Et quo Collegio quatuor alumni
indigena j'am ordinati fuerunt
sacerdotes, et gratissimo adjuvamini
se praebent nobis pro ministerio
prodicationis et regimine Christifidelium
regionis.

Nec ullam quidem aliam indicationem
dare E. V. possum super objectum
quaestionis hesterna Rogo interea
Deum ut omnia fausta tribuat
semper Excellentia vestra quam certam
volo fovere obsequii mei.

Addictissimus vester in X^to

(signed) C. Dubail

Ep. Bolinensis vic. apos. M.^is

Mr. Lord to Mr. Seward,
No 119. April 20th, 1880.

Sir:

I am sorry that I have not been able to reply earlier to your despatch No 57, requesting such information as I might have in regard to the education of Chinese in foreign knowledge within this Consular district.

Nothing, I believe, has been done in this respect by the Chinese Government, or by Chinese officials in this province, either to found or sustain schools in which foreign knowledge has been taught. Nor has anything worth speaking of been accomplished by private enterprise, outside of missionaries. There was a small attempt made here a few years ago to get up an English school for natives, but it came to nothing, very likely through the incapacity of the person who undertook

undertook it.

Missionaries from the beginning of their work here have had schools of various kinds. The object of these schools has of course been religious. Yet as in religious schools at home, secular knowledge has been taught in them to some extent. Missionaries in this part of China have not, as a general thing, encouraged their pupils to learn English; but they have tried to teach them history — Geography, mathematics, philosophy, astronomy, physiology, medecine, etc; and their efforts have no doubt been attended with some success. The number thus instructed may not have been very large; and bearing in mind the great difficulties under which the instruction must have been given, we can hardly suppose that the results have been very great. Still something has been done. A beginning at least has been made in the work of a higher and better education among this

this people.

Though aside from these Mission schools there has been in this place no organized efforts for the education of Chinese in foreign knowledge, one will yet often meet with Chinese who have acquired more or less of this knowledge. Some of these have been taught in schools elsewhere, either at other ports or in foreign countries; and others have in one way or another been so related that this knowledge has in various degrees come to them. And these instances are continually increasing.

The number of Chinese who speak English, and who have more or less English education, is less here than at some of the other ports. They naturally go to places where there is a demand for these qualifications. There has so far been very little demand for them here.

This

This reminds me of a matter to which I have long been wishing to call your attention. It is the inconvenience and disadvantage under which Consular officers are placed in being required to write their despatches in Chinese to Chinese Officials. I wish to say something on this subject, but perhaps I had better do it in another letter, and when I have more leisure,

I have the honor to,
(signed) Edward B. Lord,

Omit

Mr. Bailey to Mr. Seward.

No. 748. March 22nd, 1880.

Sir:—

I have the honor to acknowledge the receipt of your No. 228, relating to educational institutions in Shanghai exclusively devoted to natives.

As soon as the information can be obtained it will be forwarded to you.

I have the honor, etc.,

(signed) David D. Bailey.

Mr. Denny to Mr. Seward.
No. 37. March 9th, 1880.

Sir:—

In reply to your despatch No. 18. I beg to state that the only educational establishment of any kind where Chinese may acquire foreign knowledge is the Torpedo School connected with the Imperial Arsenal. Up to last autumn the school had been for three years under the care of Mr. Betts, an English telegrapher, and the class of 15 young men who graduated last year and carried off the honors of feathers and buttons, plumed themselves upon their acquirement of the English Alphabet, words of two syllables, the first four rules of arithmetic and a few chapters in geography. They were at once told off to the several forts and telegraph stations

stations in this neighborhood, and having acquired official employment it is not likely that they will give more attention to foreign studies. A new class of 27 boys is now being grounded in the alphabet by Mr. Spencer Saisun, a Chinese, who has attended school in the United States. There is now no foreigner connected with the school and, as a measure of economy, there is no intention to engage another.

At Chefoo there is a missionary school where boys are taught foreign arithmetic, Geography, and the elements of natural science, through the medium of their own language.

Excepting the Imperial College at Peking, these are the only organized efforts being made within this Consular district to introduce foreign learning.

I have the honor, etc.

(signed) C. N. Denny.

(Copied in Bureau of State - for publication.)

Ack. refer to Mr. Scanlon

DEPARTMENT OF STATE
AUG 2 1880
RECEIVED

Mr Adee &
Mr Scanlon

No. 706. One Enclosure.

Legation of the United States.

Peking, June 12th, 1880.

George F. Seward to

the Secretary of State

Subject.

Trade in American cotton goods.

Synopsis.

Refers to Mr. Seward's dispatch, number 554. and forwards copies of the Consular reports upon this subject.

No. 706. One Enclosure.

Legation of the United States.

Peking, June 12th, 1880.

Honorable William M. Evarts.

Secretary of State,

Sir:-

Referring to my despatch number 554. with which I forwarded to you a copy of a circular letter which I had addressed to our Consuls in this Empire asking for information as to the condition and prospects of the trade in American cotton goods, I have now the honor to hand to you copies of the responses which have

1/706.

have been received from Amoy, Canton, Chinkiang, Foochow, Hankow, and Kiungpo. No reports have been received from Newchwang and Shanghai. The report from our Consul at Tientsin was transmitted to you with my despatch number 583.

You will see from these papers that there is a marked increase in the demand for our cotton fabrics throughout this Empire.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

Enclosure.

1. Consular reports upon the trade in American cotton goods in China.

Despatch No. 706.
Inclosure:

Mr. Goldsborough to Mr. Seward,
No. 104. March 25th, 1880.

Sir:—

I have had the honor to receive your No. 84, asking me for information regarding the shipment of American cotton goods to China, and beg herewith to enclose a memorandum received on the 23rd instant, from the Customs.

In a very elaborate report No. 180, of July 13th, 1878, submitted by my predecessor to the Department, I find that several kinds of native white and grey shirtings 21¼ in. wide by 27 and 28 feet long, much used by upper and lower classes of both sexes for clothing of all kinds especially for warm under wear in winter, coverlids and men's stockings, and suggested by him as suitable for this market, have been manufactured in America and are being largely sold by Messrs Jno. L. Anderson & Co. at

(same

same prices as native manufactured goods. I am informed by the Messrs Andersons & that this is a growing trade, and that they have hopes, that sooner or later these goods will, to a great extent, supersede the native fabrics.

It would have afforded me great pleasure to have forwarded the desired information at an earlier period had I not been delayed in procuring the same by reason of the temporary absence of the Commissioner.

I am, Sir, etc, etc,

(signed) W. Elwell Goldsborough.

Memorandum from the Custom House ——— Amoy, March 22nd, 1880.

Importation of American piece goods

Season 1879.	Am. Drills	3,203	pieces
	" Sheetings	1,541	"
Season 1880 to date	" Drills	455	"
	" Sheetings	12	"

(signed) N. E. Hobson
Commissioner of Customs

Mr. Cheshire to Mr. Seward.

No. 52. March 3rd, 1880.

Sir:-

I have the honor to reply to your despatch No. 75. in which you remark that "it is understood that American cotton "goods are being shipped to China "in increasing quantities" and you wish me to report to you such facts regarding the trade as may seem to me of interest.

Large quantities of piece goods of all kinds and descriptions are shipped to this port from Hongkong per native craft and in the absence of any statistics of the trade which passes through the native Custom House there is no means of ascertaining any exact figures of the extent of importation. But from the foreign Customs Returns it would seem that American goods are increasing in favor, as the following figures show:

In

In 1879. there were 825 pieces of American drills imported against 206 pieces in 1878.

From information I have gathered from various sources I find that American goods are gaining popularity with the natives on account of their superiority over English make.

The trade in piece goods in Canton is entirely in the hands of native merchants who get their supplies from the importers at HongKong. There is no direct trade between the foreign merchants and the native dealers at this port, as the native merchants prefer to make their purchases at HongKong where there is a very large market and an extensive assortment of goods to select from.

The bulk of the piece goods trade at HongKong is carried on by English firms who are constantly receiving large consignments of Manchester

Manchester goods such as the market requires.

There can be no doubt that American manufactures are superior to the English and it would seem that, in view of this fact, the one thing necessary to establish an increasing trade is for our manufacturers to watch closely the requirements of the Chinese and send out consignments regularly of goods that can be sold on the market on this side at the same prices as those of other manufacture. It is said that American manufacturers can produce a better article than the English or German, and at a lower figure, and if such be the case, there can be no doubt that an honest and cheap material will find favor in preference to flimsy adulterated goods.

Mr. Williams informs me that "the importation of American "cotton piece goods at Ovatow is still

"still very limited partly on account
"of the native dealers there not being
"sufficiently acquainted with them
"and no direct shipments having been
"made to that port; that cheap goods
"are preferable, the Chinese buyers looking
"altogether at the prices without giving
"any credit to the superior quality of
"the article consequently a cheap material
"will always find a ready market; that
"there is no reason why our American cotton
"goods should not receive a larger share
"of the patronage of the port than at
"present exists and to secure this end
"our merchant importers should be
"prepared to offer facilities to the
"local dealers equal to those of other
"nationalities. This and the
"preparation of piece goods suitable
"for the Deatong market would soon
"receive the patronage of the Chinese
"to a marked extent"

I have the honor, etc.

(signed) F. D. Cheshire.

Mr. Scruggs to Mr. Seward.

No 18. February 19th, 1880.

Sir:

In reply to your No. 58, of the 10th ultimo, I have the honor to state that the local trade of this District in American cotton drills and sheetings is steadily increasing. The trade is, however, confined almost exclusively to the two articles named.

These are imported through foreign houses at Shanghai. There are no direct importations hither; though there are now three foreign and eight native houses in Chinkiang that deal extensively in these articles. Two of these are English and one American.

Of the Chinese houses refered to, one numbers 11 co-partners and employs a capital of Ts. 300.000. It is said to be doing an extensive business in this line, though (for obvious

obvious reasons) I have been quite unable to learn the exact scope and magnitude of their trade.

The goods referred to are of New England manufacture. They cost considerably more than the English fabrics of the same species, but are nevertheless preferred on account of their acknowledged superior quality. The mere name of "American goods", according to the statement of a native dealer, is sufficient to recommend them to purchasers.

I think it would be well, however, (as I have already suggested to the Department) to caution some of our manufacturers and brokers at home against a somewhat careless manner of wrapping and packing their fabrics intended for this market.

I am, Sir, etc,

(signed) William L. Scruggs.

Mr. De Lano to Mr. Seward.

No 152. February 23rd, 1880.

Sir:—

In response to your request contained in your despatch No 99. of date January 10th I have the honor to report as follows upon the trade in cotton goods at this port.

The total number of yards of cotton piece goods imported into China at the present time may be roundly stated at 530 million yards, of which only 9 million yards come to Tcwchow, and only ½ million of these are American: Drills.

I give you below a table showing the imports into Tcwchow, from 1876. to 1879. both years inclusive, of Shirtings T. cloths and Drills, American & English.

		1876.	1877.	1878.	1879.
Shirtings grey	pcs	58.104	56.047	57.092	63.524
do white	"	11.952	12.122	15.238	18.172
T. Cloths	"	217.601	199.348	207.404	283.722
Drills English	"	16.974	8.725	4.741	4.020
do American	"	8.853	6.792	6.958	6.009

which, as you will observe, shows a falling

off

off of 12.954 pieces of English, and 2,198 pieces of American Drills since the year first above named, while during the same period there has been a considerable increase in the import of lighter goods, namely T. Cloths and Shirtings grey and white.

All the American cottons coming to Yokohama are supposed to be embraced in the customs report of Drills imported, and to go back to the year 1864. the imports of English, American and Dutch have been as below.

	1864	1865	1866	1867	1868	1869	1870
Pieces	16.	120.	1817.	4403.	4560.	5730.	12,209
"	1871	1872	1873	1874	1875	1876	1877
	21.613.	22.287.	31.375.	38.071.	24662.	25827.	15,720
"	1878	1879					
	11.694.	10.040.					

In 1862. & 1868. there was actually an export from here of Drills which had been imported in previous years.

With reference to the decline in the import of drills, I quote from "The Customs Trade Report for 1877." "there has been an average annual import of about 60,000 pcs. of grey Shirtings during the last 5 years. White Shirtings show an average of 10,000 pieces. T. Cloths have averaged during the same period about 20,000 pieces. Perhaps the

the most marked but still insignificant feature of an almost insignificant trade is the decline in the import of drills, which have sunk from an import of 31.375 pieces in 1873. to 15.720 pieces in 1877. The above table shows a still further decline of 5.680 pieces in 1879.

Efforts have been made to introduce American fabric of a lighter weight than the 15 lbs drills, but they have met with little success, and probably without exception the attempt to supplant the English sized light-weight manufactures with pure goods from America has resulted in loss to the importers. Natives of the region supplied from this port seem generally to prefer native cloth which, though coarser, is said to be more durable than its foreign rival. It is at the outset more costly than the light weight foreign fabric, but by the common and laboring people they would, if all were able to buy them, be almost universally taken, leaving the less durable but more delicate fabrics to the more wealthy, who use them extensively

extensively for under-clothing.

The preference for native manufactures has been much increased, no doubt, by a general distrust engendered by the adulteration of Manchester goods. By the Customs trade reports it appears that Sheetings. Drills, and Jeans are largely consumed in the Northern provinces, best few being taken South of Ningpo. At Takow and Taiwan foo, cotton dyers from Canton are said to dye foreign T. Cloths, making them into an article afterwards sold as imitation native cloths. A similar trade is said to exist also at Swatow, where Sheetings are dyed for shipment to Shanghai, where they are said to be sold for native dyed cloth.

The foregoing goes to show that American heavy cottons go to North China and do not come here, that American light cottons cannot compete with the English lighter ones - unless it be the 12 lb. Shirtings, which correspond for weight with the T. Cloths; that native cloth is a serious rival, and that the Foochow

distribution

distribution of Drills has greatly fallen off.

Four fifths of the Cottons entering at Foochow are T. Cloths 32 inches, 24 yards, weighing 6.7.8 lbs. The remaining fifth is mostly Shirtings 39 inches, 39 yards, weighing 7. to 8¼ lbs. and a few 10. lbs. T. Cloths seem to be the width and weight required, and Manchester seems to produce plenty of honest goods for the honest demand.

The Chinese have been called a people in blue jeans, but it would be far more to the point to say that they are a people in blue T. Cloths and Shirtings, for of the 10,000,000 pieces of cloths entering all China in the year 1877, 6 millions were shirtings (5 grey and 1 white) 3 millions T. Cloths only, and 1 million Drills, with ⅓ of a million each of jeans and sheetings.

It is safe to say that half the Drills coming here are used for sails, a considerable quantity for tea-bags, in which the leaf is brought in from the nearer tea-districts, while but little is worn. Drills do not

(continued)

submit to a patch, and therefore when once rent cannot be neatly mended like a lighter fabric.

Of all the foreign cottons together there came to Foochow in 1878, 300.000. pieces weighing less than 2 and a ½ million pounds. Of native cloth there was imported an equal amount in weight, mostly from Ningpo and Shanghai, which places also sent to Foochow, in junks, 10.000 (Chinese) bales of raw cotton.

As before mentioned, the native cloth is coarser, large-textured, the threads not giving way easily, and clothes of this wear four years against two years for those made of foreign cloths. It is this heavy native-cloth and the heavy T-cloths which mainly cover the people of this district in fall and winter, and the bulk of that passing through Foochow into the more remote tea districts is of the same sort.

The Brands & Chops of cotton mill shippers and China Consignees come in the course of time to be a certificate to the natives of what they are buying,

(as

as with us. Against the "Kecheong" shop drills 15 lbs shipped by A. A. Low & Bros to Messrs Russell & Co China, there compete the 14 lbs drills (English) "Sovereign" (Arnhold Karberg & Co Hongkong) the Cock or Pheasant, Globe, Dragon, &c, &c, also the House & Flag, the latter classed as 14 lb. and, I think English. Of those coming here, the one bearing Messrs Russell & Co's Brand is the best, and leads all the others in price.

The larger part of cottons come here from Hongkong, the smaller part from Shanghai. None are imported from foreign countries direct, though in former years when American tea clippers came here to load tea for the American markets, they part with American cottons.

To increase the consumption of American cottons here it would be necessary to lay down such kinds as are now supplied by English manufacturers - equally good in quality, at lower figures than those they can sell at -, because the English now have the bulk of the trade, and the merchants being nearly all English will naturally

give

give preference to their own manufactures unless they can see a certain profit to accrue from purchasing from others,

I have the honor, etc,

(signed) M. M. de Lano.

Mr. Shepard to Mr. Seward.

No 46. April 12th, 1880.

Sir:-

In accordance with the request made in your No 81. as to the facts regarding the growing importance of American cottons in China, I have the honor to submit the following brief exhibit of the facts at this port.

Previous to 1877 there was very little export of cottons from the United States to Hankow, the consumption and demand being so small that it was reported as nothing in the Custom house returns,- or rather not reported separately. The trade began in the second quarter of that year, and its growth was so marked that I made it a special topic of notice and remark, a years' observation convinced me that the impulse in favor of our manufactures

would

would be permanent by the observance of two conditions: 1st. There must be continued integrity in the fabrics; 2nd. Enterprise in working the market. These points I emphasized in my Trade Reports for 1878. and again in 1879. I felt constrained to enforce the ideas by a few paragraphs illustrating the hostility and energy by which British interests would oppose the tide so energetically turning against them. I also suggested the need of lighter fabrics for the Southern markets, to compete with British goods now in use, or rather, I believe, to supplant them very largely. These reports, however, have been printed entire, and as they doubtless are in your hands, any elaborate treatment of the topic is unnecessary here. They were gratifyingly commended by the State Department, and I refer to them as embodying in brief my

(views.

views from the observation I have had at this point. To give you, however, a succint and correct view of the increase and status of the trade I have collated the annexed table, which I have delayed to send you till I could include the imports of the last quarter.

I have the honor, etc,
(signed) Isaac F. Shepard.

A table

Showing the rise and progress of importation of American cottons at Hankow, China.

Period embraced	1877	1878	1879	1880
No. of pieces 1st quarter to Mar. 31st	nil	5,550	12.236	9.385
" " June 30	5.020	18.915	18.305	
" " Sept. 30	2.390	7.960	8.550	
" " Dec. 31	1.300	5.400	1.955	
Total				

Total for 1877 = 8710 pieces

" " 1878 = 37.825 "

" " 1879 = 41.046 "

Increase in 1878, total 29.115 pieces

" " 1879 " 3,221 "

Total imported in 3 years 87,581. "

Mr. Lord to Mr. Seward.

No 117. April 19th, 1880.

Sir:-

Referring to your despatch No 52. dated the 10th of January last, and received at this office on the 5th of February, I have to say that on its receipt I had some conversation with Mr. Drew, the Commissioner of Customs here, who I thought would be able to afford me more information than I had. He seemed not to have it himself; but he thought he could get it for me, I asked him to do so, and he said he would. But he was very busy getting ready to go home, and I suppose it was forgotten. In the meantime I was very busy with other matters, so this matter has been delayed.

The amount of cotton goods imported here does not seem to have increased during the past four years.

four years. On the contrary, there has been a considerable falling off. In 1876. the imports amounted to some 850.000. pieces. In 1877. they had fallen to about 715.000. pieces. In 1878. they fell to about 625.000. Last year 1879. there was no further decrease. The tendency was, I believe, slightly upward.

But how the matter has been, or how it is in regard to our own cottons, I am unable to make any very definite statements. In the reports of the Customs these goods are for the most part simply mentioned by their commercial names. In only a few instances is their nationality indicated. But the prevailing opinion among those with whom I have conversed upon the subject seems to be that the demand for our goods is increasing, more especially when they are to be sent to remote places inland. In this vicinity there is a large

demand

demand for dyed goods. And the lighter cheaper fabrics are used for this purpose. Damaged goods are also largely used for this purpose.

The name of our goods is no doubt at a premium. This is a valuable circumstance and one which I trust will be maintained. This will help us, but it will not secure to us the cotton trade. In addition to this we must make and sell our goods as cheap as, or a little cheaper than others. Then the trade will be ours. The contest must be one of skill and economy.

I shall endeavour to keep my eye on all matters of interest at this port, and I shall always be glad to furnish you with any information that I may have, or may be able to get.

I have the honor, etc.

(signed) Edward C. Lord

DEPARTMENT OF STATE
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Mr Adee

No. 707. One Enclosure.

Legation of the United States.

Peking, June 12th, 1880.

George F. Seward to

the Secretary of State.

Subject.

The Mixed Court at Shanghai.

Synopsis.

Encloses a copy of a letter from the Italian Minister in which he endorses Mr. Sewards action as reported in his despatch to the Department, number 661.

No. 707. One Enclosure.

Legation of the United States.

Peking, June 12th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, a copy of a letter which I have received from Count de Luca, the Italian Minister to China, from which you will see that he endorses the line of argument taken by me, on behalf of the Diplomatic Body, while speaking with the Chinese Ministers in regard to certain reforms needed in the administration

1/707.

administration of justice at the Mixed Court in Shanghai.

The action taken by me was fully reported to the Department in my despatch number 661.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Count de Luca to Mr. Seward No. 73. May 5th, 1880.

Despatch No. 707.
Enclosure.

No. 73.

Italian Legation in China,
Shanghai, 5th of May, 1880.

His Excellency George F. Seward,
&c — &c — &c — &c —.

Dear Sir and Colleague,

I have duly received your honored despatch of the 20th of April last, and return you my most sincere thanks for its valuable contents.

The response of the Tsung-li-Yamen to our Joint Note of November last, regarding the Mixed Court at Shanghai, cannot conveniently remain without further action on our part. After having most attentively perused your letter to our Doyen, as well as the Memorandum thereunto annexed, I think that the whole question could not be replaced before the Chinese Ministers in a better light and reinforced by stricter arguments, than Your Excellency has done. The

Legation

Legation of Italy, however, gives its full adhesion to all the decisions which the Foreign Representatives in Peking may come to, on this subject.

Accept, Dear Sir and Colleague, the sentiments of my highest consideration.

(signed) Ferd. De Luca.

made

Answer sent

Telegram

Answ'd by telegram of June 18. 1880. Wm Adee

San Francisco Cal.

June 17. 1880.

Hon. Wm M. Evarts,

Secty of State,

Washn. D.C.

We sail on Saturday nineteenth. Instructions recived by Angell and Swift, were none sent to me? None came. Was nothing done about the Fisheries?

Wm Henry Trescot.

Disp.
File

— China —

San Francisco.
June 18th 1880

Hon. Wm M. Evarts.
Secretary of State
Washington D.C.

Dear Sir;

I have the honor to acknowledge the receipt of your communication of June 9th, covering a Letter of Credit on Morton, Rose & Co. for my Salary at the rate of $12000 a year, and for contingent

expenses of the Legation,
not to exceed $625 per
annum. A duplicate
of the letter of credit was
also enclosed.

I return herewith,
agreeably to your request,
the letter of credit with
my signature attached.

Mr. Prescott informs
me that he has sundry
papers from the Department
sent for me, and Mr.
Swift has received no
instructions.

Mr. Trask, Mr. Swift and I expect to sail tomorrow noon (June 19th) in the Oceanic.

Very respectfully
James B. Angell

1 Enclosure - Duplicate of Letter of Consul in favor of James B. Angell at Austin, Texas & Co. dated June 9, 1880.

File
see Instructions
Examiner of Claims

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

No. 708. Four Enclosures

Legation of the United States.
Peking, June 19th, 1880.

George F. Seward to the Secretary of State.

Subject.

Attack upon Mr. Sites.

Synopsis.

Encloses copies of further correspondence had with Mr. Hulans upon this subject.

There is nothing to be done now with this dis but acknowledge, we must wait for the explanation & see whether a further question in the result. The delay although annoying and probably commenced at by the mission is not unprecedented even in Christian countries

Ask x file

O'Connor, Sept 27, 1880

No. 708. Four Enclosures.

Legation of the United States.

Peking, June 18th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to my previous despatches in the case of assault upon Mr. Sites at Yenping in the province of Fukien, I now have the honor to hand to you herewith copies of two despatches recently received from Mr. Le Lano giving further details of the action which has been taken by the Chinese authorities in the business, and asking my instructions. 1./708. 2./708.

I also enclose copies of two letters which 3./708. 4./708.

which I have addressed to him in response.

You will see that I have advised him to proceed to try the charge made against Mr. Sites if the Chinese Authorities desire such action, and to be carefully guided by the law and the rules for our Courts in his procedure.

Begging your approval of my action, I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

Enclosures.

1. Mr. de Lano to Mr. Seward
No. 166. May 25th, 1880.

2. Mr. de Lano to Mr. Seward
No. 169. June 5th, 1880.

3. Mr. Seward to Mr. de Lano
No. 128. June 6th, 1880.

4. Mr. Seward to Mr. de Lano
No. 129. June 18th, 1880.

Despatch No. 708.
Enclosure 1.

Mr. De Lano to Mr. Seward.
No. 166. May 25th, 1880.

Sir:—

I have the honor to enclose, herewith, for your information copies of further correspondence which has passed between the Viceroy and myself in regard to the Sites Yen Ping case.

I have been purposely moderate in my requests and utterances when addressing the Viceroy, and have, I think, borne with becoming patience the delay and cavilling on his part in dealing with the case, but there is, I presume, no alternative but to wait till it pleases him to enter upon a more vigorous course.

There seem to be indications now that something is being done, but that something is far from being satisfactory to me. The real culprits the Lien Chia and Century

Care

are permitted to put forward as "scape goats" two irresponsible vagabonds (who, I am informed, have been in prison for many months, since long before the occurrence of the riot we are complaining of) who are to be tried for the assault, and a letter comes just now from Yentai, from a Chinese source, to the effect that the "Nan Ping Magistrate has bought (hired) an old offender named Liu-cheng chi, a King-hwa man, who, it is believed, is to be brought forward to personate the man who was alleged to have been shot by Mr. Sites. It is a fact beyond dispute that the first man, Ting Kou, who was hired for the purpose ran away as soon as he found that he was wanted in Foochow.

I now have hopes that a day will soon be fixed for the examination of the three men I have refered to, but I can regard such an examination as only a farce, feeling

feeling confident, as I do, that the parties are brought forward as substitutes for the real offenders. But being forewarned with this suspicion, I hope to be able to prove who the real delinquents are.

I shall be able to prove that after the assault upon Mr. Sites, and after he had been borne back to the Chapel, the Taotai, Prefect and Magistrate came to the chapel. That the Prefect declaimed loudly about the treaty and said, in presence of the mob, that Yen Ping was not a place for preaching, nor was there in Yen Ping the name of chapel. Hitherto there had been there no such thing as preaching. And to Mr. Sites he said "You are a foreigner traveling for recreation, and, presuming to come here to preach the doctrine, you are attacked by the people and driven out. Truly it is an ill of your own getting. Whence could the officials have any knowledge of the business?"

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I shall prove also that the Lien-chiah who have official recognition as conservators of the peace, caused placards to be sent out of the city to suburban villages, calling upon the inhabitants to assemble before the chapel on Sunday (Dec. 14th ") to assault the foreigner and the Christians. Certain Christians who did not see the placard were advised by their friends not to go to the chapel on that day "because there would be trouble".

I have not at any time doubted that the prefect was responsible for the riot and assault. The Magistrate has been removed from his office and his button taken from him, but I am convinced that if he could have acted independently of the Prefect he would have tried to prevent the assault. But in China punishment rarely falls where it is most deserved.

I trust that in my next I shall be able to advise you that the joint investigation has taken place, but I

should

should be glad to be advised as to what course I should pursue in case the evidence should point clearly to the Lien Chia and Gentry as the instigators of the disturbance, and should clearly demonstrate that the persons brought forward for trial were not participators in it.

I have the honor to be, etc.

(signed) C. C. C. de Lamis.

Mr De Lano to Ho Ching Gov. General.

May 11th, 1880.

The Undersigned, Consul for the United States of America, begs to represent to Y. E. that on the 2nd of April he was favored by Y. E. with a communication in regard to the assault committed by the people of Yen Ting foo upon the American citizen, Rev Mr. Sites, in which Y. E. stated amongst other things, that you had received a report to the effect that two men, Chen Wang tsai and Yao nan ti, had been arrested as being implicated in the assault, that they had acknowledged that they were upon the spot when the assault was committed, being on their way to the Magistrate's Yamen to unfold their grievance, and, that being brought to Court to be examined as to why they were leaders in the disturbance, they were not willing to admit it, and Y. E. added "wait for

(a

" a thorough examination and reliable
" depositions and they can be brought
" forward with all the men and evidence
" in the case to the Provincial Capital,
" and they being turned over can be
" examined."

Y. E's communication seems to lead generally to the conclusion that the local officers at Yentsing were being urged by the provincial authorities to take efficient measures for the arrest of the perpetrators of the assault, in order that they might be sent to Foochow to be dealt with, as Y. E. long ago promised should be done, but more than a month has passed since the date of your communication and no further advice has come to me on the subject, except that I hear from Yentsing that the officers are doing nothing in the matter, and that the Lien Chia and other evil disposed persons taking courage and made bold by their immunity from punishment, are daily

daily growing more hostile towards foreigners and native Christians and the latter have been so intimidated by threats and the general hostile attitude of their persecutors that they dare not assemble for Christian worship. Such persecution of Christians, I am sure Y.E. will admit, is in contravention of the Treaty.

It is proper that I should mention that it is the purpose of the Rev. Mr. Sites to go soon again to Yen Ping, and holding a passport, as he does, bearing the seals of the Authorities, if any harm should come to him the local and the Provincial officers would certainly be held accountable and none could say they were without notice.

In the dealings of nationals, one with another, it is reasonable to suppose that each will fulfill the promises which he makes, but the Consul finds upon reviewing the case in hand that no promises looking towards a proper adjustment of it

which

which Y. E. has made have yet been carried into effect, but on the contrary, each despatch of Y. E. to the writer has borne little more than excuses for delay.

Being in receipt of enquiries from H. E. the U. S. Minister at Peking, in regard to the action which is being taken in the case, the Consul is constrained to again address Y. E. on the subject, and he begs that you will favor him with an early reply so that he in turn can acquaint the Minister with the present state of the case.

Y. E. will, it is hoped, bear in mind that the Government of the United States through its Minister at Peking has stated that no settlement of this case will be considered satisfactory which does not secure to American citizens the privilege of visiting Yen Ting-foo and Kienning-foo in the pursuit of their lawful callings enjoying the same immunity from violence and insult that they do in other places in the Empire. The writer hopes to be favored with an early reply etc - etc.

(signed) M. M. De Lano.

Ho - Governor General etc. to
Mr. De Lano. May 15th, 1880.

Ho. Governor General of Fokien and Chinkiang, in the matter of an instruction in reply.

On the 12th day of May I had the honor to receive the Consul's Representation to the effect that he was in receipt of my instruction in reply in the matter of the attack of the Yen Ping people upon the American, the Reverend Mr. Sites, and that more than a month had passed without his (the Consul's) having received any farther information on the subject; and being in receipt of inquiries from the United States Minister at Peking in regard to the action being taken in the case he (the Consul) again by representation begs that I will favour him with reply.

The above coming to me, I find that some time ago a report came from

from the Board of Trade stating that the officers at Yen Ping foo, holding their own seals or deputed, had jointly petitioned, stating that Chen Wang tsai and another had been arrested, that the Board had directed that these two men together with Ting Koi, wounded with a gun, be forwarded to Foochow in charge of an officer appointed (appointed for this service), to be tried and deal with.

This was a month and more ago, and I still have not a single word from the Yen Ping Prefect and Magistrate by way of petition in answer. This may well be treated as avoidance of and protracting the affair.

Being now in receipt of yours above referred to, I, in addition to pressing the Board of Trade and the Provincial Judge Yeh who is Manager of the affairs of the Board, that they immediately, in observance of my instructions, without loss of time press the Yen Ping Magistrate and

Prefect

Prefect to immediately summon Ting-Koi and forward him, the criminals, and the evidence in the case in charge of a deputy and under escort to Foochow, that there may be something to go upon in turning them over to the Board for joint inquiry, for a just finding and closing of the case.

If there be farther procrastination in the case the said Prefect and Magistrate are to be reported, that their fault may be entered on the Record against them as a conspicuous warning against "dawdling" and trifling.

I therefore make this "instruction" in reply to the Consul trusting that he will find as represented, etc. etc. etc.

A necessary instruction in reply:

Despatch No. 708.
Enclosure 2.

Mr. DeLano to Mr. Seward.
No. 169. June 5th, 1880.

Sir:—

I have the honor to enclose herewith a copy of further correspondence which has passed between the Governor General and myself in regard to the Sites' Yen Ping affair.

You have doubtless observed that the Governor General has all along conveyed the idea in his despatches to me that he had instructed his subordinate officers to make arrests of, and send to Foochow, persons found to have been concerned in the assault, and that up to May 25th, the date of my No. 166. to you, none had been sent down, though two had been arrested.

On the 26th he sent two of his subordinates (expectant Tartais) to me to discuss the matter and apparently to tell me that the Yen Ping officers had finally captured the wounded man and that he and the two men who

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were to be put forward as the assailants of Mr. Sites would soon be sent down, and that the case could then be " inquired into. Refering to the last two, I asked "Have they not already "been in Foochow more than a month"? After some attempts at evasion and equivocation they admitted that they had been, but that they (the officials) were waiting for the "wounded man".

I indulged in some very plain and pointed language in the course of the interview, accusing the Governor General of bad faith and double dealing in the matter, and immediately on " prepared my representation of the 29th ". The reply which it has elicited is characteristic of the man, and shows plainly that his sympathies are with the anti foreign (particularly the anti-missionary) factions of Yen-Ping and Kienning and that he will do all in his power to bolster up his view of the case in the representations which he may make to the Tsung-

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li Yamen. He makes an assertion about chapels in Yen Ping which is glaringly false, namely, that there never have been chapels or preaching in Yen Ping. He knows that an English chapel was destroyed there some six years or more ago, and that the Methodists Mission property has been used as a chapel for fully ten years past; up to the very date of the riot. I find that when the M.E. Mission were about to reconstruct and improve their building in the winter of 1878-79. the gentry intercepted the work and would not allow it to proceed until a Helper who was charged with superintending it promised that the place should be used only as a residence and bookshop thereafter.

The Helper said that he signed a paper to that effect under pressure, but says he did not suspect at the time that the mission would be bound by it, as he told the gentry he had no authority to agree to anything

anything of the kind. This bit of information has but just come to my knowledge, and I have no doubt that, if an enquiry into the case is ever reached, the agreement will be brought forward to prove that Mr. Sites was in the wrong in proposing to preach in the building. This, however, cannot strengthen their case in a legal sense; first, because Mr. Sites did not preach; secondly, because if he had done so that would not have justified the assault. But arguments of this sort have little weight with the Viceroy who is strong in his own conceit if not even with his Government, and knows how unlikely it is that anything more powerful than the pen can be wielded against him.

The man who has been brought forward to personate the alleged wounded man has been here since about the 20th May (was here when the two subordinates were sent to me), and the Yentsing magistrate, it is

said

said, also arrived here about the 26th ult.
Hearing this, I sent a note to the Viceroy, suggesting that as the four men were here the time seemed opportune for holding the proposed enquiry. His reply of the 4th instant has been received since, and you will observe upon reading it that the plan evidently is to substantially try the case (they have doubtless already done so) so as to have the reputed "offenders" and "wounded man" well up in their rôle before I am permitted to be present. Truly the joint enquiry is likely to be little more than a farce.

I beg to call your attention to what the Viceroy says about the "wounded man's" unwillingness to come forward to prosecute, there being no need of his coming to the Consulate to make complaint etc. etc. and beg you will instruct me specially as to whether I shall institute a formal inquiry into the charge of shooting

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if complaint is not made at the Consulate as prescribed in form 62. of the Court Regulations. Should I entertain the complaint of a man brought forward by official force to make such complaint?

I should be glad to have your advice in regard to assenting to the punishment of the two men (so-called assailants of mr. Sites) if I should be satisfied that they in reality had no hand in the assault or in creating the disturbance. I shall feel inclined to let the officials make their own time for farther action in the case till I shall have heard further from you.

I have the honor, etc.

(signed) W. W. De Lano.

Mr. De Lano to the Governor General
No 700. May 29th, 1880.

The undersigned begs to represent to Y.E. that it has come to his knowledge that two men called respectively Chen wang tsai and Yao nun ti who are to be brought forward as participators in the assault upon the Rev Mr. Sites at Yen Ping foo in December last, have been for a month or more here in Foochow, and that their examination which Y.E. so long ago promised should take place upon their arrival here, is being delayed until the alleged wounded man Chen Kuai is also brought here.

The Consul now begs to remind Y.E. that the examination of the native for assaulting Mr. Sites, and the examination of Mr. Sites for the alleged shooting are two distinct and separate cases, the first to take place before a native officer in presence

(of

of the Consul and the complainant (Mr. Sites) and the other to take place before the Consul at the U.S. Consulate. The Consul can therefore see no occasion for further delay in the matter of examining the two men now here awaiting trial, and begs that Y. E. will name a day as early as possible when the examination may take place, and he ventures to suggest that Yeh, the Intendant and Acting Provincial Judge be deputed to try the case at his Yamên, also that early notice be given to the Consul so that he, together with Mr. Sites and the witnesses in the case may appear at the Yamen at the appointed time to conduct the prosecution.

On the other hand, so soon as the alleged wounded man shall come forward to prosecute for the alleged shooting, the Consul will not delay to appoint a day for the examination of Mr. Sites, and give notice so that Y. E. can depute a

(suitable

suitable officer to be present to watch the proceedings.

Y. E. I am sure has not failed to comprehend the grave nature of the charge which has been put forward by the Yen'ping officials against a highly respectable citizen of my country, and it is my duty to inform you that substantial proof of the shooting and wounding must be produced or the charge to be formally withdrawn.

Y. E. need not wonder that the Consul has looked with astonishment at the means which have been resorted to for the purpose of fixing some criminal action upon Mr. Stites. His selling books upon the public streets of Yen'ping, or preaching the doctrine in the Chapel was not a crime which could justify the local officers in permitting an assault to be committed upon him, hence the charge of shooting was brought forward, and it oddly happens that in order to substantiate the charge four months time has been

required

required to find and bring forward a man who is willing to say he has been injured.

Chinese who receive injuries at the hands of foreigners are usually ready to come forward voluntarily, to claim redress. The Consul has reason to believe that you do not yourself believe the story about the shooting and he is surprised that you have placed yourself in an awkward position by affecting to believe it. It would have been better the Consul believes, for Y. C. to have started out at the commencement of this unpleasant affair with a high minded purpose and a disposition to mete out justice and equity. It has been clearly demonstrated that if the higher Provincial Authorities had in the month of November last properly instructed the Yen Ping officials in regard to the Treaty right of the missionaries to practise and preach the doctrine of Christianity in their house in Yen Ping, no disturbance

(would

would probably have occured, but the local officers and gentry affected to believe that the subject of their right to so use the house was one of discussion between the Consul and the Provincial Authorities and remained unsettled up to the date of the riot.

There can be no doubt that Yeh Taotai or some of his superiors at the Provincial capital are justly blamable for not having settled that question at the time I mentioned by issuing clear and decisive instructions to the Yen Ping officers. Again, when the disturbance came and my countryman was nearly murdered, the Intendant Yeh thought to excuse the outrage and screen the Yen Ping officers and gentry by denying the right of Mr. Sites — having a passport to travel - to preach the doctrine. (see his despatch to the Consul 18th December last) the Consul finds that Y. E. has also given your

adhesion

adhesion to the view that if it were not clearly stated in the lease that the house was to be used as a chapel the missionary had no right to preach the Gospel in it, and that that question not being clearly settled, the assault was in a measure justifiable, but the Consul feels certain that both positions are untenable.

The assault upon Mr. Sites was premeditated and prearranged and was made in the open street, not because he was preaching the doctrine in the book-shop, for the Magistrate's Men ting had enquired and found he had not done so, but because he was a foreigner and the Lienbhia and gentry had declared in placards publicly posted, that they would not allow a foreigner to enter the city, and called upon the populace to assemble and abuse him and his followers and drive them out.

The Consul has, in former communications, pointed out to Y. E.

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the certain hostility of the Yen'ping Prefect towards the foreigner and the christians, and he now repeats that it is almost certain that that officer encouraged the gentry in creating the disturbance. It is certain that he took no measures to prevent it, and that he gave orders that Mr. Sites should by no means preach in the bookshop. Furthermore, is in possession of proof that after the assault had been committed and Mr. Sites had been removed - in a helpless condition - to the Chapel, the Prefect, together with the Tao and Hsien, appeared in the chapel and there, in presence of the crowd of people, said that "Yen'ping was not a place for preaching nor was there the name of "Chapel" there, that hitherto there had not been there the word "preaching". And to Mr. Sites he said "You are a foreigner "traveling for recreation: you presume "to come here and preach, and are "attacked by the people, it is truly

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"an ill of your own getting". Is it strange that the people should violate the treaties when a public officer is found to make such incendiary remarks in their presence?

The Consul now ventures to add that if H.E. had been actuated by a laudable desire to settle this case on the basis of justice and goodwill, and by a desire to secure to foreigners within your jurisdiction the full enjoyment of their Treaty rights, you would not have allowed your subordinate officers to delay and trifle in the manner they have done. Had you - as the Consul has more than once suggested - ordered the head men of the Lien Chia and the Magistrate's Men ting to be sent to Foochow to give evidence there would have been no trouble in tracing the offence which was committed to the proper and real authors. It is not likely that my superior in Peking will be satisfied with

with the punishment of two irresponsible men, while the real culprits are permitted to escape punishment, and the Consul cannot believe that Y.E. would willingly pursue a course in the treatment of this, which might lead to a breach of the friendly relations which have so long existed between the Chinese Government and that of the United States. Violence and injury has been done to an American citizen, apparently with official sanction, and it is now proposed to add insult to me and the Government which I represent at this port by a farcial show of a trial of the two men brought forward in lieu of the real offenders, and an attempt to convict my countryman of a grave crime upon the testimony of a man brought forward by official force for the purpose. It would only be reasonable to suppose that these undignified schemes have been concocted by your official subordinates, and that you are not advised of their

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truckling and crooked dealing, and that now, the facts being laid plainly before you, you will order that a more just and vigorous course be taken, to the end that the affair be speedily and honorably settled.

I beg that Y. E. will give me early reply to this communication and that you will distinctly state therein whether or not you will undertake to secure to American citizens who may soon desire to visit Kienningfoo and Yentsing foo the complete enjoyment of their treaty rights and certain immunity from violence & insult.

I avail etc. etc.

(Signed) M. M. De Sano.
Consul.

No. Governor General to Mr. De Lano.

June 4th, 1880.

On the 29th May I received your representation requesting, as the two offenders in the Yen Sing case of Rev. Mr. Sites had long since been forwarded to this provincial capital, that a date might be fixed upon and an instruction sent to you so that you might witness the trial; you also requested that my official subordinates might be directed to close this case promptly in an equitable manner.

Being in receipt of this I find that in this case Chen Wang tsai and Yao Nun ti two offenders guilty of making the disturbance, having been forwarded by the Yen Ping Prefect and Magistrate were some time ago received here. Upon this I directed that examination, arrests and the forwarding (of the offenders to Foochow) be

be continued. I moreover ordered the said two offenders to be turned over to the Foochow Prefect's Judgment Bureau for examination. We should wait till their reliable depositions have been taken and a detailed report made, when the Board of Trade will fix upon a date and send to you, the Consul, a communication that you may proceed to witness the trial. For the Foochow Prefect's Judgment Bureau deals specially with cases handed over to it for trial. Foktien cases of importance whether appeals to Peking or appeals to the provincial capital, all revert to that Bureau to be tried and dealt with. When the truth or falsity has been tried to a clear issue, a detailed report is made to the provincial judge. This, the settled rule of China is in all provinces the same. For the sake of uniformity Rev Mr. Sites' case should of course revert to the Prefect to be there first tried and examined. In the past,

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in cases in which foreigners have sued Chinese or have been wounded by Chinese, action has been taken by the Consuls sending a communication to the local authorities. Where Chinese, then, are wounded by foreigners, it is not necessary for the man himself to repair to your Consulate to hand up his complaint. It is moreover not to be wondered at that the peddler, one of the poor common people, his wounds being slight and he having been shown compassion by the officials should be unwilling to come forward in person to prosecute.

The way to deal with this case is as follows,— The offenders guilty of making the disturbance at Yentsing, after being secured, forwarded, tried and examined to a clear issue, should be punished according to statute. The person who discharged the gun, if the missionary, should be dealt with according to the U. S. Statutes; if a native Christian should be delivered

up

up to be dealt with according to the Chinese Statutes. Referring to this in a former instruction to you, I did not point out Mr. Sites as certainly the man, I declared myself as without prejudgment in the matter. Your representation to hand now says "Y.E. though not believing (the "story about the shooting) affects to believe "it, thus placing yourself in an awkward "position. What words are these? In a language used in public documents how can one presume to rely upon his own prejudiced notions!

In your representation you also refer to the language publicly held by the Prefect of YenPing. At a time when there was a disturbance in the locality and the feelings of the people were in an excited state, the Prefect in question being responsible for the locality could not but bend his language to separate and disperse them. The words in blame of the Missionary I have not heard before. Even were such language held it was with the object of breaking

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up and dispersing the masses and is not enough to constitute in the Prefect the offense of using incendiary language. Were he really guilty of incendiary language, too, how can it be ponsible that I should screen him?

As regards the various foreign missionaries propagating the gospel and influencing the people to do good it appears that one should observe the willingness or unwillingness of the people to follow the same. There is no such thing as forcing the people to follow the doctrine. For years YenPing has been unwilling to have the doctrine propagated or chapels opened within the city. This state of affairs does not date from to day. In all cases interesting reciprocally Chinese & foreigners, I, the President of the Board, wish to deal faithfully and impartially. Upon no account would I make the foreigner to suffer loss nor would I leave the Chinese with a grievance unredressed.

The

The cases closed here of late years are known to the ear and eye of all. How can I possibly be willing to allow the local authorities to show the slightest partiality?

It is fitting that I direct the Board of Trade in their turn to instruct the Prefect of Foochow that he must obtain the true depositions of the real offenders, and impartially close the case to show an equitable decision and to substantiate friendly relations

In a former instruction I requested you to accompany your representations with an English version, really fearing that there might be errors in the Chinese version, in word or phrase, of which you might not have whereof to be informed, For some inexplicable reason I have as yet not received an English version so sent.

As regards the Yen Ping and Kienning Prefectures foreigners ordinarily go and come and the local authorities protect them according to treaty, no

(cases

cases arising. At Chang hu pan and other places in the Yen Ping prefecture, and at Ma chi li and other places in the Kienning prefecture, I find that there are American chapels and book stores distant from the prefectural cities only some tens of li; there are also not a few followers of the doctrine. It is only in the cities themselves that there is an unwillingness to have chapels opened. The local authorities, to influence and lead the people, have repeatedly issued proclamations; these have not yet been observed and followed. It cannot be said that it is not permitted foreigners to proceed to the two prefectures of Yen Ping and Kienning.

I, the President of the Board, in reply to the Tsung li Yamen for their information have already given them, in a letter, the circumstances of this case as found in the examination instituted under my direction.

It is fitting that one wait until the

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It is fitting that one wait until the

the people being influenced and
instructed by the Prefect and the
District Magistrate in question from
time to time, gladly in heart submit,
before proceeding thither again to
propagate the doctrine; this in the
hope that both Chinese and the
Christians may long continue at peace
with one another.

Besides issuing the necessary orders,
I therefore send you this instruction
in reply for you to find as represented.
For this I shall feel obliged.

I avail etc. etc.

A necessary instruction in reply.

Despatch No. 708.
Enclosure 3.

Mr. Seward to Mr. De Lano.
No. 128. June 6th, 1880.

Sir:—

I have had the honor to receive your despatch No. 166, in regard to the Sites assault case.

It seems to me that, while your information in regard to the person who is alleged to have been shot by Mr. Sites is likely to be true, your best course will be to receive his complaint in due form and to proceed to arraign Mr. Sites and to try the matter, if the local authorities express such a wish. I can understand how disagreable this will be to Mr. Sites and repugnant to yourself, but any other course will open the way to complaints against you, and perhaps no other course will in the end so far conduce to the interests of justice. You should adhere rigidly to the law and the rules for our Courts, and not admit any evidence which has been derived

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as a result of torture or compulsion.

I do not think that I would hurry the authorities to put the other two men upon trial but complete the case against our national first, and deliver judgment thereupon. A full record in English and Chinese should be made under your own supervision.

After this part of the business has been completed you will be in a better position to proceed with the prosecution of Mr. Sites assailants. The Memoranda which I sent to you last fall in regard to the conduct of Mixed Cases will have informed you fully as to my views in this respect.

You can afford to be urgent in getting at the facts, but in other respects you should remember that the business will doubtless come under review here, and that failures of the officials, if any shall occur, will not escape my attention.

I am Sir, etc.

(signed) George F. Seward.

Despatch No. 708.
Inclosure 4.

Mr. Seward to Mr. De Lano.
No 129. June 18th, 1880.

Sir:-

I have had the honor to receive your despatch No 169. in the case of the assault upon the Revd. Mr. Sites.

You will find that my despatch No. 128. furnishes you with my views upon the several points raised in your despatch under reply. You should of course require that complaint be made at the Consulate against Mr. Sites, in the manner prescribed by our regulations before proceeding to give a hearing in the case.

I am, etc.

(signed) George F. Seward

Due to Library
One to War Dept
for Surg. Genl.
Aug. 28. 1880.
M. Fields.

No. 709.

Mr Adee

Legation of the United States,
Peking, June 19th, 1880.

DEPARTMENT OF STATE
AUG
27
1880
RECEIVED

George F. Seward to
the Secretary of State.

Subject.

Customs Medical Reports.

Synopsis.

Forwards, under separate cover, two copies of these reports for the half year ended September 30th, 1879.

No. 709.

Legation of the United States.

Peking, June 19th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:-

I have the honor to hand to you herewith, under separate cover, two copies of the Customs Medical Reports, for the half year ended September 30th, 1879. as published by order of the Inspector General of the Chinese Maritime Customs.

I have the honor to be,

Sir,

Your obedient servant.

George F. Seward

File

Mr Adee

No. 710. Three Enclosures.

Legation of the United States.

Peking, June 21st, 1880.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

George F. Seward to

the Secretary of State.

Subject.

Conservancy of Woosung Bar.

Synopsis.

Refers to previous despatches and forwards certain papers received from Shanghai. Reports action taken by the Diplomatic Body.

No. 710. Three Enclosures.

Legation of the United States.

Peking, June 21st, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Referring to my several despatches regarding a proposal advanced by the Shanghai Chamber of Commerce for the improvement of the Woosung Bar, the funds to be secured by the levy of a temporary duty of 1 per cent upon exports and imports, I have now the honor to hand to you the following papers herewith:—

Minutes of the annual meeting of the Chamber covering a report upon the

the scheme; Minutes of a public
2/710. meeting of the mercantile community
at Shanghai, held to discuss the proposal;
3/710. and a copy of a Memorial presented
to the Diplomatic Body at this Capital
upon the subject.

A meeting of the Diplomatic
Body was held on the 17th instant
at which Sir Thomas Wade, the
Nieyen was authorized to inform
the Chamber of Commerce that
the proposal would receive
cordial support, and to sound
the Tsungli Yamên as to its
disposition. I shall inform
you duly of the result of the
reference to the Yamên, and at
the same time ask your
instructions in the matter.

I

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Annual meeting of the Shanghai Chamber of Commerce.
2. Minutes of a meeting of the mercantile community at Shanghai.
3. Memorial to the Diplomatic Body.

despatch no. 710.
Enclosure 1.

Shanghai General Chamber of Commerce.

MINUTES

OF

ANNUAL MEETING AND REPORT.

1879.

SHANGHAI:
PRINTED AT THE "NORTH-CHINA HERALD" OFFICE.
1880.

Shanghai General Chamber of Commerce.

MINUTES

OF

ANNUAL MEETING AND REPORT.

1879.

SHANGHAI:
PRINTED AT THE "NORTH-CHINA HERALD" OFFICE.
1880.

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SHANGHAI GENERAL CHAMBER OF COMMERCE.

ANNUAL GENERAL MEETING,

HELD ON MONDAY, 8TH MARCH, 1880.

Members present:—

Mr. E. H. LAVERS ...	...representing	Messrs.	FORRESTER, LAVERS & Co.
,, W. HOWIE	,,	,,	TURNBULL, HOWIE & Co.
,, G. BLUNTSCHLI ...	,,	,,	LACROIX, COUSINS & Co.
,, A. McLEOD	,,	,,	GIBB, LIVINGSTON & Co.
,, R. H. ARTINDALE ...	,,	,,	IVESON & Co.
,, H. DU POUEY	,,		MESSAGERIES MARITIMES.
,, H. KIRCHOFF	,,	,,	VOGEL & Co.
,, W. H. DALGLIESH ...	,,	,,	CARTER & Co.
,, J. M. YOUNG	,,	,,	RODEWALD & Co.
,, FRANK M. YOUD ...	,,	,,	ADAMSON, BELL & Co.
,, G. A. LINDSAY... ...	,,	,,	DRYSDALE, RINGER & Co.
,, C. LYALL GRANT ...	,,	,,	ADAMSON, BELL & Co.
,, J. G. PURDON	,,	,,	MAITLAND & Co.
,, A. CUMINE	,,	,,	CUMINE & Co.
,, R. A. GUBBAY	,,	,,	DAVID SASSOON, SONS & Co.
,, G. PETERS	,,	,,	SIEMSSEN & Co.
,, W. S. WETMORE ...	,,	,,	FRAZAR & Co.
,, J. F. HOLLIDAY ...	,,	,,	HOLLIDAY, WISE & Co.
,, J. BELL-IRVING ...	,,	,,	JARDINE, MATHESON & Co.
,, ALEX. SIM	,,	,,	BRAND, BROTHERS & Co.
,, LOUIS MENDEL ...	,,	,,	ARNHOLD, KERBER & Co.
,, W. C. WARD	,,	,,	IVESON & Co.
,, C. M. DYCE...	,,	,,	GEO. BARNET & Co.
,, F. W. LEMARCHAND	,,		AGRA BANK.
,, A. LIND...	,,		P. & O. S. N. Co.
,, EWEN CAMERON ...	,,		HONGKONG AND SHANGHAI BANK.
,, J. A. TAYLOR	,,		CHARTERED MERCANTILE BANK.

Mr. F. B. FORBES, *Chairman*, in the Chair.

The CHAIRMAN said—Gentlemen, there is now a sufficient quorum present for the commencement of business. As usual, we will consider the minutes of the last meeting to be taken as read. The Report for 1879 has been in your hands for some days, and I do not think I need make many remarks upon it; and the correspondence that has been published speaks for itself. A great many very important questions have been dealt with by the Committee of the Chamber during the past year. The Committee have not published the correspondence which passed between them and the Ministers at Peking on the subject of *lekin* because the letters simply reiterated the opinion which the Chamber has held for a great many years past, namely, that the Treaties on the subject of transit passes and internal taxation were sufficient, if they were carried out properly in the spirit and to the letter by the Chinese; and that any change in the way of imposing a further tax on the entry of goods would be a mistake. With regard to the Swatow Guild case, you will have read the views of the Committee, and share in their regret that they were not able to fortify their case by documentary evidence, and you will doubtless appreciate fully the reasons why they were not able to do so. As the question of the Woosung Bar will come up for discussion at a subsequent stage of the proceedings, I will say nothing about it now. I beg to move—

Resolution 1.—That the Report of the Committee for the year 1879, as presented to this meeting, be adopted.

Mr. J. F. HOLLIDAY seconded the motion, and there being no remarks, it was carried unanimously.

Mr. E. H. LAVERS—The next resolution to lay before the meeting is—

Resolution 2.—That the Accounts of the Chamber for the year ending 31st December, 1879, showing a balance in hand of Tls. 1,823 42, be passed.

You will see, gentlemen, that our expenditure for the year has been Tls. 2,628.0.7, and you must add to that the cost of Foochow telegrams, amounting to Tls. 150, making a total of Tls. 2,778.07, against an expenditure in the former year of Tls. 3,265.53. The income this year from 46 subscribing members amounted to Tls. 2,300. The Market Report cost Tls. 1,648 36, and realised Tls. 1,991.86, showing a profit of Tls. 343.50 against a profit last year of Tls. 845.95; therefore you will see there is a decrease this year on the Market Report of about Tls. 500. This arises from the number of Reports sold being considerably less than in the preceding year. The other items in the accounts explain themselves, and you will observe that we leave off with a deficit of Tls. 36.5.1. It is to be regretted that the profits from the sale of the circular (Market Report) have not been greater. If it should not in time prove more profitable, I am afraid it will become necessary to either increase the subscription or make some other change which the Committee will have to consider. I do not think there is anything further for me to say with respect to the accounts, but I shall be glad to answer any questions which you may wish to put to me.

Mr. J. G. PURDON had much pleasure in seconding the adoption of the Accounts.

The CHAIRMAN—Are there any further remarks to be made on the Accounts? If no gentleman has any questions to ask, I will put the motion to the meeting.

No questions were forthcoming, and the motion was carried *nem. con.*

RIVER CONSERVANCY.

The CHAIRMAN—Gentlemen, the next resolution which I have to bring forward relates to the proposed River Conservancy Dues, which is as follows :—

Regulation 3.—That as the present condition of the Woosung Bar and of the River approaches to Shanghai gravely imperils the trade of this port, and as the Chinese Government has for many years persistently refused to apply existing revenues to the removal of the obstructions to navigation, this Chamber deems it expedient to recommend the imposition of dues at the rate of one-tenth per cent. *ad valorem* on all goods passed through the foreign Custom House at Shanghai, provided that such dues shall be expended for the conservancy of the River, under control of a foreign board. That a memorial on the subject to the foreign Ministers at Peking be drafted by the Committee, and submitted for discussion at a meeting of the mercantile community of Shanghai.

As to the first point, gentlemen, in this resolution, that the condition of the Woosung Bar and river approaches to Shanghai gravely imperils the trade of this port, I presume there is no difference of opinion, and I therefore pass at once to the second point, the persistent refusal of the Chinese Government to apply existing revenues to the removal of the obstructions to navigation. Now, the history of the past ten years will give you the clearest possible idea of the utter futility of insisting on the duty of China to do this work. Western nations improve their rivers and harbours because they are prompted by the dictates of an enlightened self-interest, but what China may consider to be her interest in this matter, we may clearly gather when we hear one of the highest personages in the Empire declare that the Woosung Bar is a "Heaven-sent barrier" to Shanghai. The only way in which foreigners can claim anything of the sort from China is by virtue of some treaty stipulation, and although there has been a very general impression that the dredging of the Woosung Bar is one of the purposes to which the Tonnage Dues should be applied under the Treaty, I am sorry to say I do not think that this is warranted by the facts. I was under the same impression until a few months ago, when I went carefully through the Treaties, and the only reference I could find bearing on the point is Tariff Rule No. 10, of the Treaty of Tientsin, which contains the following :—

"The high officer appointed by the Chinese Government to superintend foreign trade, * * * * * * * will be at liberty, of his own choice, and independently of the suggestion or nomination of any British authority, to select any British subject he may see fit to aid him in the administration of the Customs' revenue, in the prevention of smuggling, in the definition of port boundaries, or in discharging the duties of harbour master; also in the distribution of lights, buoys, beacons, and the like, the maintenance of which shall be provided for out of the tonnage-dues."

You will see that the tonnage dues are to maintain "lights, buoys, beacons and the like", that is, indications of dangerous shoals. There is no reference to the removal of the shoals themselves. I must ask you in order to give you a full idea of what has been done to listen to some extracts from former reports, and I shall have to begin a long time back. The Report of 1871-1872 says that :—

During the past two years the Chamber has been in correspondence with the Authorities on the subject of the Bar at Woosung, and the last Annual Report, issued in December, 1871, recorded what had been ascertained with reference to the position of this matter at that date, the promise of the Inspector General of Customs having been obtained that measures would be adopted to remove the obstruction complained of.

In accordance with a resolution passed at the Meeting of 18th December, the Committee communicated with the Harbour Master, the Customs' Engineer, and Mr. Dick, Commissioner of Customs, in the hope of learning that there were immediate prospects of the authorities adopting measures to remove the serious obstruction to the navigation which had been complained of, but receiving no satisfactory reply from either of these quarters, a memorial was addressed to the Ministers of Treaty Powers on the 16th February, urging upon them the necessity for speedy steps to conserve the River.

About the same time the question engaged the attention of the Treaty Consuls, who had received a separate memorial from Insurance Companies and Merchants of the Port, and the Chamber was favoured by a copy of a dispatch from Mr. Consul-General Seward to the Honorable Mr. Low, U.S. Minister, specially relating to this memorial.

In reply to the Chamber's representations, Mr. Wade, H.B.M. Minister, (under date 26th March) informed the Chamber through H.M. Consul that "the proposal to furnish the proper machinery required has been for some time before the Yamên, and that the question is one to which Mr. Hart, Inspector-General of Customs, has been instructed to give early attention."

The Russian Minister also assured the Chamber that he had reason to believe that the matter was receiving the serious consideration of the Chinese Government.

The correspondence will be found published in the *N.-C. Herald* of 11th April, 1872.

Subsequently the Chairman introduced to Mr. Hart, during his recent visit to this port, a deputation consisting of the Agents of the Peninsular and Oriental Steam Navigation, Messageries Maritimes, Pacific Mail and Ocean Steam Navigation Companies, which waited upon him for the purpose of making strong remonstrance against the Bar being left in its present state. The Inspector General stated that the subject was receiving his attention, and would be laid before the Imperial Government on his return to Peking.

No further information having reached the Chamber as to the decision of the Peking Authorities, on the 15th instant, the Committee addressed to Mr. Hart an enquiry whether any steps had been taken towards dredging the River, and as a proof of the state of the Bar, a copy of a letter from the Agent of the Peninsular and Oriental Steam Navigation Company was enclosed, which detailed the case of a mail steamer (the *Travancore*) on the 11th October, when at high water only 15 feet 6 inches depth was signalled.

Mr. Wade in his despatch stated that opinions were divided upon the practicability of permanently improving the Bar, but the Committee trust that with the example of similar cases in other Rivers to rely upon, there will be no further delay in supplying a dredging machine sufficiently capable to keep a channel of adequate depth for the vessels frequenting this port.

Now, gentlemen, it seems unnecessary to talk about any progress in negotiations, when we compare the statements of the Committee in 1871 that the promise of the Inspector-General of Customs had been obtained that measures would be adopted to remove the obstruction complained of, with the statement of Mr. Hart in our present Report that he could not hold out any hopes to encourage the Committee that their wishes would be carried out. Next, it will be seen that in our Report for 1873, Mr. F. B. Johnson, in a letter to Sir Thomas Wade, dated 20th January, 1873, writing about the Bar, said—

In the event of the Imperial Government declining to assume the obligation of the work, I have the honour to enquire if your Excellency would be prepared to support a demand on the part of the community for such additional power as may be necessary to enable the Ratepayers to raise funds for the maintenance of a channel adequate to the efficient navigation of the river, by means of special taxes to be levied upon native and foreign shipping resorting to the port, and upon landed and house property within its limits.

Sir Thomas Wade in an answer dated Peking, 7th March, 1873, said that—

The Chinese Government has still under consideration the scheme submitted to it by the Inspector-General, to which the Chairman's letter of the 20th of January refers, but it has not yet sanctioned the outlay, which is considerable, and which, whenever it be sanctioned, must be provided for otherwise than as a charge upon the Tonnage Dues. The system of Light-houses now in process of construction will, I apprehend, absord whatever is collected under this head for at least two years to come.

Mr. Johnson's letter, of the 20th of January, suggests the creation of such additional powers as may enable Ratepayers to raise funds for the object before us by the imposition of special taxes on native and foreign shipping resorting to the Port, and upon landed and house property within the limits.

I should urge the Chamber still to wait for the declaration, which I hope ere long to obtain from the Central Government, to the effect either that it will, or that it will not, undertake the work required to keep clear the Woosung Bar. It is waiting, if I mistake not, for further reports from the Provincial Governors. Should the foreigner be eventually obliged to bear the cost of this work, the taxation of foreign property in the port interested appears to me, at first sight at all events, a measure to which no one can object if the foreigner do not. The taxation of shipping is part of a larger question, and the taxation of native craft for the end in view, would encounter, I am satisfied, the most strenuous opposition on the part of the native Government, without whose consent, of course, the native could not be taxed.

It will thus be seen that as long ago as 1873, a time when the Wharfage Dues were still being levied, the Chamber went so far as to suggest that powers might be given to the Ratepayers to raise additional taxes to remove the obstruction of the Woosung Bar. There was a long discussion at the meeting of the Chamber on the 21st November, 1873. Mr. Barnes, the Agent of the P. & O. Company, had collected a great amount of information from pilots, captains, etc., and he stated that the Bar had shoaled two feet during eighteen months, and was admittedly two feet shoaler than ever before. Now, if we take the figures published by Mr. Morrison the other day, the average depth of water on the Bar in 1879 was one foot and a half less than it was in 1873, and this taken in conjunction with Mr. Barnes's statement would make the total shoaling 3½ feet within the last ten years, which is amply sufficient to justify the alarm that exists. At that meeting estimates were furnished to the Chamber showing that the cost of dredgers and barges would be about $63,000, and the offer had been made to dredge a channel 300 feet wide and 18 feet deep at low water

for the sum of $107,000, the dredgers being provided. In the report on the 19th December, 1874, the Committee made the following statement :—

> The action of the local officials at Hankow, with respect to Transit Passes, and the inaction of the Tsung-li Yamên as regards the Woosung Bar, are glaring instances of that indifference of the Chinese Government to their own duties, and to the Treaty rights of foreign merchants, which has been a constant subject of complaint. In the case of the Woosung Bar, your Committee have pleasure in recording the recent efforts of His Excellency Mr. Wade, and of his colleagues, to bring the Imperial Government to a sense of the urgent necessity for some immediate measures on its part towards clearing the approaches to this port. That these efforts have hitherto been unsuccessful, and that, in spite of all that has passed, the highest native authorities should have declined to move in the matter, on the ground that the Woosung Bar is a natural and Heaven-sent defence to Shanghai, are deplorable facts which need little comment.

The correspondence was not published with the Report, but it is probable that this was the Chinese declaration for which the British Minister had in 1873 somewhat hopefully asked the Chamber to wait before they took measures to raise funds by local taxation. In 1876 there was a very careful survey made of the Woosung Bar by two Dutch engineers, at the expense of the foreign community, and their elaborate report was placed before the authorities. In 1877 the Municipal Council solicited the co-operation of the Chamber in connection with the subject, and the Committee addressed a memorial to the foreign Ministers, advocating the appointment of a Board of Conservators, with power to decide upon and provide the most efficient means of protecting the navigable channels of the river. Nothing further was done in the matter until the subject was brought prominently before the Committee by the correspondence of last autumn. Now, gentlemen, with this history before us, and with the result of our recent interviews with Sir Thomas Wade and Mr. Hart fresh in our minds, would it have been anything else than trifling with a matter of vital interest, to go through the worn-out formality of representing to the Chinese Government the necessity of dredging the Woosung Bar, unless we could suggest some way of raising funds for the purpose without touching existing revenue? Of course, the Committee feels, as most other people do, that it is the duty of the Chinese Government to do the work, and no doubt it would have done the work long ago, but for one reason, that it is the Chinese Government. A correspondent in the *North-China Daily News* has pointed out that the Chamber was trying carefully to saddle the wrong horse, but I submit it is rather a case where the horse has been saddled for a great many years. The foreign trade of Shanghai is, and has been, saddled with the Woosung Bar, and the only question now is, whether it is not worth our while to pay a little money out of our own pockets to have the saddle removed. The Committee was also criticised by Mr. Morrison, a few days ago, who castigates them for being the promoters of a scheme by which they themselves are to be supplied with Tls. 117,000 a year to set something right when they do not know what is wrong, and do not know what it will cost to put it right. As regards River Conservancy generally, the question of the approaches to Shanghai within and without the mouth of the Hwangpoo River, the Committee fully admit that they are not competent to give an opinion as to the nature or extent of the work required, and they had doubts as to whether there was anyone in China who could decide what had best be done, and those doubts Mr. Morrison's letter has done nothing what ever to dispel. What we do know that we want to have done at once, is to have the Woosung Bar dredged so that the navigable channel can be kept open, and the Committee have reason to believe that the cost of this work would be manageable with the funds that it is proposed to raise. Not only this, but they think it probable that the Board of Conservancy would have a surplus for other improvements of the River and Harbour. Now, if we admit the necessity of raising a special fund for River Conservancy, it is of course possible that the method suggested by the Chamber is not the best way of raising the money. But the proposed dues have this in their favor that the same percentage collected as Wharfage dues was not found onerous, and that they would be distributed impartially over the widest possible area, over the whole foreign and native trade of an annual value of 125 millions of taels. They are of course open to the objection that owners of property in Shanghai, who would benefit no doubt very greatly by the dredging of the Bar, would not be called upon to pay anything towards it. I confess I do not see in what way we are going to work to include the land-owners of Shanghai. Our situation here is a peculiar one. We have two Municipalities, each of them with an independent system of taxation, and experience has abundantly shown how the system on one side of the Yang-king-pang can be made to discriminate in favor of the other. It would be very difficult to arrange that the same tax should be levied on both Settlements, without interfering with their present independence. The only way in which real estate here could be efficiently taxed would be under convention with China, and this would import a new element into the Treaties, which I think there would be grave difficulties on both sides in introducing. After all that has been said and done, Shanghai was opened for purposes of trade, and the bulk of the population are now here to trade. On trade, therefore, it would seem not only most logical, but most practical to impose any new taxes, which may be needed to keep open the approaches to the port. As regards the proposed conservancy dues, it has perhaps been overlooked by some persons that they would be far from falling entirely on foreign trade, properly so called, but that nearly half would be levied on Chinese trade. Taking the Customs Returns as our guide, we may group roughly under foreign trade, the gross foreign imports and the native produce of local origin exported abroad, and under native trade the gross native imports and the native produce of local origin exported coastwise, and the figures are as follows.

Mr. Forbes than read from a statement which he had compiled from the Customs Returns of the trade of Shanghai for the years 1873 to 1878 inclusive, from which it appeared that after deducting from the foreign trade and adding to the native trade, about 4½ millions taels value of merchandise which, though under the Customs heading of foreign imports, were exclusively dealt in by Chinese, the average value of the foreign trade had been about 62 million taels, or 55 per cent. of the whole, and the native trade about 51 millions taels, or 45 per cent. of the whole. Under the Committee's scheme therefore, the whole foreign trade of the port would only be called on to pay a little over 60,000 taels a year towards the improvement of the port where the trade was carried on, while for years past a portion of the foreign trade had been paying in Wharfage Dues a much larger sum, to the ultimate benefit of the property owners of one Municipality.

Mr. Forbes then proceeded as follows:—Gentlemen, I have to apologise for having detained you so long, but I have wished to place before you all the points which have occurred to me in connection with this subject, and I think the situation may be very briefly summed up. The water approaches to Shanghai are becoming more difficult and dangerous, and the Woosung Bar, especially, is threatening the commercial prosperity of the place. The Chinese Government positively refuse to admit their obligation to dredge the Woosung Bar, and they decline to do it out of regard to the magnitude of the trade. The Committee of the Chamber propose that a tax should be levied of one-tenth per cent. on the whole trade, native as well as foreign, passing through the Custom House, and we have good reason to believe that the sum proposed to be so raised and expended by a foreign Board of Conservancy will more than suffice to dredge the Woosung Bar and keep a good navigable channel open. I need only now say that if you accept the Committee's proposal, the support of the foreign Ministers at Peking and of the Consuls is assured in advance, and there is a fair chance that their influence on the Chinese authorities may secure its final adoption; and if you reject it, we shall have to go back to where we started more than ten years ago.

Mr. LAVERS—I beg to second the resolution which has been proposed by Mr. Forbes. In doing so I really have very little to say, because Mr. Forbes has gone so exhaustively into the subject. I will read, however, the last paragraph of the resolution, which is that a memorial on the subject to the foreign Ministers at Peking be drawn up by the Committee and submitted for discussion at a meeting of the mercantile community of Shanghai. From this you will see, gentlemen, that if you approve of this resolution, this is only a preliminary meeting, inasmuch as the business will have to be gone through again at a meeting of the mercantile community to be called to consider the subject. I am very much in favour of the resolution myself, because I do think it is very necessary that the Woosung Bar should be dredged. If it is not to be dredged, the delay and expense of discharging vessels there becomes a very serious tax on the trade of the port. The tax proposed is, as we know by experience, a very slight one, and is borne very generally. I do not think it is necessary to detain you any longer, and I second the resolution with very much pleasure.

The CHAIRMAN—Are there any remarks on the motion, gentlemen?

Mr. C. L. GRANT—You have explained why it would be very difficult to tax the land-owners. Is there any reason why the shipping should not be taxed in some form or other, beyond the tax the Committee propose to levy?

The CHAIRMAN—That was proposed by the Committee in the first place.

Mr. GRANT—I know that, and don't see why they should escape now.

The CHAIRMAN—Sir Thomas Wade, as long ago as 1873, offered the same objection to taxing shipping as he has done recently. He simply says that a tax on shipping would affect other proprietary interests than those concerned in Shanghai. That was the only reason he gave in 1873 against taxing shipping, and he gives the same reason now.

Mr. GRANT—But notwithstanding that, don't you think some steps might be taken to press the matter, because the shipping is as much interested in the subject as the mercantile community here. Do you think Sir Thomas Wade's objection is unsurmountable?

The CHAIRMAN—It is unsurmountable so far as that Sir Thomas Wade speaks on behalf of all his colleagues as well as himself. If we propose a tax on shipping, the Ministers in Peking will very probably not sanction it. We also proposed to improve the foreshore of the Settlement and the landing-stages with a portion of the Conservancy Dues, but the Ministers did not approve of that either. These are two points which must be eliminated from our scheme, and if we are going to ask to tax the shipping, I think we must do it independently of this scheme.

Mr. WETMORE—I suppose, then, it is contemplated that the collection of Wharfage Dues is to be abandoned altogether by the Municipal Council. I know that the Council have that idea in contemplation, but at the same time, if they should resume the collection of Wharfage Dues, how would it affect this scheme?

The CHAIRMAN—That is a matter with which the Chamber have nothing to do.

Mr. WETMORE—Would it not be better to say in the resolution "that provided the same tax is not collected by the Municipal Council."

The CHAIRMAN—That is a thing which will take care of itself. If the Ratepayers are already paying this tax to get rid of the Woosung Bar, they are not likely to tax themselves with it again for Municipal purposes.

Mr. WETMORE—I think leaving it onetenth per cent., as is proposed, on merchandise, is making it too exclusive; perhaps some other scheme might subsequently be proposed for raising the money. As it is, there is only one way of raising the money, and if that fails, there is nothing to fall back upon. The resolution might read that one tenthper cent. should be levied on merchandise passing through the Customs, with the addition that the money might be raised by other means.

The CHAIRMAN—It seems to me that we are called upon to make a definite proposal to the Ministers at Peking to be laid before the Chinese Government as to how the revenue can be raised, independently of existing sources. We have made a proposal to them which we believe will raise sufficient money to cover the work that is most urgently required. If anything further is to be done which may be considered desirable or necessary, it will become a question whether the Chinese will do it themselves, or whether they will leave it to the community to again put their hands in their pockets and pay for it being done.

Mr. WETMORE—My object is, that the resolution should be made as effective as possible, and that you should have more than one alternative to raise the money.

Mr. HAGUE—Did it ever occur to you, Mr. Chairman, to ask the Steamer Convention if they would like to pay the expense of dredging the Bar? (Laughter.)

The CHAIRMAN—It did not, I must confess. I think, Mr. Wetmore, with regard to your remarks, that our course is plain. We are asking our authorities, the foreign Ministers, to negotiate a special Convention with the Chinese Government for a certain definite tax, for a certain particular purpose, and therefore we cannot put into our scheme such a large clause as you suggest. We make a certain definite proposal, and unless it is definite, I don't think it would be granted.

Mr. DU POUEY explained at considerable length the improvements that had been made at the mouth of the Danube. At the end of the Crimean war a board of European Commissioners was established for the purpose of improving the navigation of the Danube, and their operations extended a distance of thirty-three miles from the mouth of the river. Their object was principally to improve the entrance to the river, and when they commenced operations there were only six feet of water on the bar, but, thanks to the skill of an English engineer, in ten years the depth was increased to nineteen feet, and the largest grain vessels trading on the Danube were now able to go in and out without any inconvenience. The money used for the purpose was raised by taxation on shipping, but there the circumstances were very different to what they were in Shanghai.

No further remarks were offered, and the Chairman put the motion to the meeting and it was unanimously adopted.

ELECTION OF COMMITTEE.

The CHAIRMAN said the next business before the meeting was the election of the Committee for the ensuing year, and they would be balloted for in the usual manner. The ballot resulted in the election of the following:—Messrs. F. B. Forbes, J. F. Holliday, W. Howie, P. G. Hübbe, J. Bell-Irving, E. H. Lavers, A. McLeod, J. G. Purdon, J. M. Ringer and C. L. Grant.

Mr. J. M. YOUNG proposed a vote of thanks to the Chairman, and the proceedings terminated.

F. B. FORBES,
Chairman.

ANNUAL REPORT

OF THE

COMMITTEE

OF THE

SHANGHAI GENERAL CHAMBER OF COMMERCE,

FOR 1879.

THE last Report of the Committee was presented to the Chamber at the Annual General Meeting which was held at the Offices of the Chamber on the 17th March, 1879.

Committee

The Committee then elected were, Messrs. F. B. FORBES, J. F. HOLLIDAY, W. HOWIE, P. G. HUBBE, J. BELL IRVING, E. H. LAVERS, A. MCLEOD, J. G. PURDON, J. M. RINGER, and E. G. VOUILLEMONT.

Mr. F. B. FORBES was appointed Chairman, and Mr. E. H. LAVERS, Vice-Chairman.

Mr. J. M. RINGER having lately left for Europe, the Committee have not thought it necessary to fill the vacancy for so short a period. Mr. E. HALTON, and Mr. F. B. JOHNSON have been invited to join the London Committee.

Treaty Revision.

The Committee availed themselves of the visit of H. B. M.'s Minister to Shanghai, on his way to Pekin, to request an interview with His Excellency, at which they discussed the questions of Lekin, duties on Opium, Harbour Conservation, the establishment of a Mint and of Bonded warehouses, and the administration of justice in mixed cases. His Excellency, to the regret of the Committee, was not in a position to give definite information on any of the matters brought forward and he could only assure the Committee that he would, with his colleagues, do his utmost to bring about a satisfactory solution.

During the autumn, the Representatives of Treaty Powers met in conference at Pekin, for the purpose of arriving at a common understanding on some of the more important issues with the Chinese Government, and the Committee thought it desirable to address a letter to the Doyen of the Diplomatic Body, reiterating the views of the Chamber with reference to Transit Dues and internal taxation. No information has been received by the Committee, as to the result of the negotiations.

River Conservancy.

The Committee also had an interview with Mr. ROBT. HART, the Inspector-General of Imperial Customs, principally with the view of inducing him to urge upon the Chinese authorities the necessity of taking measures for dredging the Woosung Bar and the conservation of the Whangpoo. Mr. HART did not encourage the Committee to hope that their wishes would be carried out, the principal objections being apparently the want of funds to undertake the work, and the uncertainty that the desired end would be accomplished even with a heavy expenditure.

Mr. HART in the course of the interview suggested that the most likely way to prove to the Chinese Government the advisability of taking steps to prevent the further growth of obstructions to river navigation, would be for the community themselves to take action in the matter, when if the issue were favourable the authorities might be induced to lend their assistance.

Later in the year, letters were received by the Committee regarding the serious detentions to which the want of water on the Woosung Bar during the summer and autumn months had subjected all classes of steamers trading to Shanghai, and urging that prompt steps should be taken to have the Bar dredged. The Committee fully recognised the immediate necessity of dealing with a danger which threatens every commercial interest of Shanghai, but they were unable to point to any treaty stipulation under which China could be held bound to prosecute the work, while on the other hand all past experience indicated that attempts to induce the Imperial Government to follow the example of western nations in such matters would probably be a mere waste of time. The most practical, if not the only, course therefore seemed to be to devise means by which the water approaches to Shanghai might be improved and maintained at the expense of the general trade of the port itself.

Without presuming to state either the nature or the extent of the works required for river conservancy generally, the Committee were of opinion that a very small percentage levied on all goods passed by the Foreign Customs would suffice to keep the Woosung Bar channel open, and to effect the more necessary improvements in the harbour of Shanghai. They were also of opinion that, as the Municipal tax called "Wharfage Dues," the abolition of which was then being considered by the ratepayers of the Foreign Settlement, had not been found onerous in itself, a levy of River conservancy dues on the same basis of one-tenth per cent ad valorem would be open to less objection than any other plan that could be suggested.

The Committee took advantage of the interval which must elapse before the final decision of the Municipality, to address the Doyen of the Diplomatic Body at Peking, in order to ascertain whether, in the event of the abolition of wharfage dues, a proposal from the Merchants of Shanghai to re-impose a similar tax on the whole trade of the port, as River Conservancy Dues, would be likely to meet with the support of the Ministers.

The correspondence has been for some time in the hands of the Chamber, and is reprinted with this Report. The Committee's scheme has been in the main approved by the Foreign Representatives at Peking, who desire however, before laying the matter before their Governments, to have an expression of opinion from the Mercantile Community at large. The Consular Body, whom the Committee were requested by the Ministers to consult, have also expressed their approval, and the matter is now in the hands of the Chamber for further action. A Resolution on the subject will be brought forward at the Annual Meeting.

Swatow Guild Case.

The proceedings in the Mixed Court last October in a suit brought by two British subjects, Messrs. DUFF and DAVID, against the Association known as the Swatow Guild, brought to light the systematic way in which Treaty stipulations are evaded in the collection of Likin taxes on Opium. The Committee, though hampered like their predecessors by the difficulty of adducing documentary evidence, felt that the existence of privileged corporations in defiance of the Treaties had been sufficiently proved to warrant their addressing the Foreign Ministers at Peking on the subject. Their letter, and other documents bearing on the case, are printed with this Report.

New Rules of the Telegraphic Conference.

The Telegraphic Conference of 1879 having imposed further restrictions on the use of code words and ciphers in telegrams, which promise to cause much unnecessary expense and trouble to the Mercantile Community, the Committee have addressed Lord JOHN MANNERS, H. B. M. Post Master General on the subject; but as his Lordship has publicly stated his unwillingness to interfere in the matter, it was thought advisable to forward the letter through the London Committee of the Chamber, giving them discretionary power to forward it, or to take such other steps as should indicate the views of the Chamber.

Joint Stock Companies.

The Committee have also laid before H. B. M. Minister at Peking a letter from the British Members of the Chamber with regard to the extension to Shanghai of the provisions of the Joint Stock Companies Acts, and have commended the matter to His Excellency's favourable consideration. The Committee have been given to understand that an application is also to be made to the Government of the United States for the legalization of Public Companies in China.

Chinese Mint.

At their interview with H.B.M. Minister, the Committee again brought up the subject of a Chinese Mint, but His Excellency did not hold out any hopes that the Chinese Authorities would move in the matter. A large amount of information respecting the cost, arrangement, and expense of working, has however been collected, printed, and placed in the hands of the representatives of Treaty Powers to aid in further discussion of the subject.

The accounts of the Chamber show a balance of Tls. 1,823.42 on the 31st Dec. last.

Of this amount the sum of Tls. 1,000 is on deposit with Chartered Mercantile Bank of India London and China at 5°/₀ interest, and the remainder with the Hongkong and Shanghai Bank in account current.

At the Annual Meeting called for 8th March, the following business will be brought forward, together with any motions which may be made by the members in accordance with the Rules.

1.—Adoption of Report.
2.—Passing Accounts.
3.—River Conservancy Dues.
4.—Election of Committee.

F. B. FORBES,
Chairman.

THE SHANGHAI GENERAL CHAMBER OF COMMERCE,

Dr. *In Account Current with the Secretary.* Cr.

To Market Report—Printing		Tls.	1,188.00		
„ do.	Postages		30.00		
„ do.	Shroff		120.00		
„ do.	Statistics and Information		280.00		
„ do.	Statistic Forms and Covers		30.36		
					1,648.36
„ General Printing					83.66
„ Postages					24.01
„ Sundries					35.98
„ Books and Stationery					94.93
„ Advertising					8.99
„ Wages					144.00
„ Rent					600.00
„ Taxes					36.00
„ Secretary					1,500.00
„ Insurance					5.00
„ Newspapers					95.50
				Taels...	4,276.43
„ Balance to 1879 account					1,823.42
				Taels...	6,099.85

By Balance of 1878 Account	Tls.	1,709.93
„ Subscriptions from 46 Members		2,300.00
„ Sale of Market Report		1,991.86
„ „ Richthofens' Letters		2.94
„ Interest in Deposit and Current Account.		95.12
Taels...		6,099.85

E. & O. E.

SHANGHAI, 21*st February*, 1880.

GEO. R. CORNER,
Secretary.

Audited and found correct,

H. R. HEARN.

J. A. HAWES.

INCOME AND EXPENDITURE FOR THE YEAR 1879.

INCOME.

Subscriptions from 46 Members	Tls.	2,300.00
Profit on Market Report		343.50
Sale of Publications		2.94
Interest		95.12
Taels...		2,741.56

MEMO.

Balance of 1878 account	Tls.	1,709.93
„ 1879 „		113.49
Taels...		1,823.42

Subscriptions collected for 1880, 45 Members..... 2,250.00

EXPENDITURE.

General Printing	Tls.	83.66
„ Postages		24.01
Sundries		35.98
Books and Stationery		94.93
Advertising		8.99
Rent		600.00
Taxes		36.00
Wages		144.00
Secretary		1,500.00
Insurance		5.00
Newspapers		95.50
Taels...		2,628.07
Balance		113.49
Taels...		2,741.56

Dependency—
Cost of Foochow Telegrams, Account not yet received—Estimated at ... Taels...150.00

LIST OF MEMBERS

OF

Shanghai General Chamber of Commerce,

1880.

ENGLISH.

Agra Bank.
Adamson, Bell & Co.
Barnet, Geo. & Co.
Brand Brothers & Co.
Butterfield & Swire.
Chapman, King & Co.
Carter & Co.
Chartered Mercantile Bank.
Chartered Bank of India, Australia & China.
Cumine & Co.
Alfred Dent & Co.
Drysdale, Ringer Co.
Evans, Pugh & Co.
Forrester, Lavers & Co.
Gibb, Livingston & Co.
Holliday, Wise & Co.
Hongkong & Shanghai Banking Corporation.
Hyde, Hertz & Co.
Iveson & Co.
Jardine, Matheson & Co.
Lucas & Co.
Maitland & Co.
North China Insurance Company.
National Bank of India.
Oriental Bank Corporation.
P. & O. S. N. Company.
Provand, A. & Co.
Reiss & Co.
Reid, Evans & Co.
Sassoons, D. Sons & Co.
Turner & Co.
Turnbull, Howie & Co.
Wilkinson & Co.

AMERICAN.

Fearon, Low & Co.
Frazar & Co.
Russell & Co.

GERMAN.

Arnhold, Karberg & Co.
Melchers & Co.
Rodewald & Co.
Schellhass, E. & Co.
Siemssen & Co.
Vögel & Co.

FRENCH.

Comptoir d'Escompte de Paris.
Lacroix, Cousins & Co.
Messageries Maritimes.

LIST OF MEMBERS

Shanghai General Chamber of Commerce,

1890.

APPENDIX.

APPENDIX.

CORRESPONDENCE RELATING TO A SCHEME FOR THE CONSERVATION OF THE RIVER APPROACHES TO SHANGHAI.

SHANGHAI, 10*th November*, 1879.

To HIS EXCELLENCY SIR THOS. F. WADE, K. C. B.
H.M. Envoy Extraordinary & Minister Plenipotentiary, &c. &c.
PEKING.

SIR,

I have the honour to enclose copies of four letters on the subject of the Woosung Bar, which have recently been addressed to this Chamber by the Agents of the two European Mail Companies, of the principal lines of Suez Canal steamers trading to Shanghai, and of two lines of coasting steamers.

It appears from a carefully compiled statement appended to one of these letters, that during the last four months, the want of water on the bar has caused an aggregate detention of ninety-eight days to thirty-four steamers of the regular lines, as follows :—

P. & O. S. N. Co.....	9	steamers detained	31 days.
M. M. Co.....	10	„ „	27 „
O. S. S. Co.	8	„ „	14 „
"Glen" line.....	5	„ „	18 „
"Castle" line	2	„ „	8 „

The statement also shows, that, in the case of occasional steamers bound inwards, the detention has been no less serious, and furthermore that in eight instances during the period under review, the outward bound mail steamers have had to leave Shanghai for Woosung from one to six days before their contract dates, in order to cross the Bar with safety.

To the loss and inconvenience caused by these detentions must be added the heavy expenses incurred in discharging a part or the whole of many inward cargoes at Woosung in order to allow the steamers to cross the bar at all—expenses which amount to a sacrifice of seven to ten per cent of the freight from Europe, on each ton so discharged.

The most significant fact, however, is that during the last two months, even light draft river and coasting steamers have been unable to cross the bar from want of water at certain stages of the tide. Messrs. JARDINE, MATHESON & Co. point out that in the case of their Northern steamers, the loss of a tide at Woosung really involves a loss of twenty-four hours in the voyage to Tientsin, and Messrs. SIEMSSEN & Co. state that they have frequently been compelled to shut out cargo from their steamers under despatch to the South, as they would have been unable to cross the Bar if fully laden.

Experience shows that every year the summer floods of the Yangtsze produce a certain silting up of the Woosung Bar, which reaches its maximum in the autumn months, but which is again reduced by the scour of the river during the winter. To some extent, therefore, the recent low water may be ascribed to regularly recurring causes which have been unusually active during the past season, but there seems no doubt that the Bar is steadily and rapidly shoaling, the decrease in average depth of water being stated by careful observers at not less than three feet during the past five years.

The facts speak for themselves, and point unmistakeably to a danger which, if unchecked, threatens the prosperity if not the existence of the greatest emporium in China. The interests at stake are alike those of the foreigners who have built up their settlement by large investments of capital, of the Chinese whom foreign trade has brought in thousands to the port, and of the Imperial Government which derives from Shanghai a large part of its total Customs Revenue.

The Committee is fully conscious of the material difficulties to be encountered in any scheme of river conservancy, and so far from presuming to suggest any remedy, believes that there is no one now in China with the special scientific and practical knowledge needed to cope with those difficulties; but that the approaches to Shanghai can be improved and kept open, is not to be for a moment doubted, in face of what has been done elsewhere, and the question resolves itself simply into one of expense.

As regards this, the Committee has learned with regret during recent interviews with your Excellency and with Mr. Robert Hart that there is small likelihood of any appropriation from existing sources of Chinese Revenue towards the removal of present obstructions to navigation. The Committee has further been advised at different times by persons in high authority, that any work of this sort will probably have to be initiated by Foreigners, and carried on for some time at foreign expense.

In the belief that a favourable opportunity now offers for doing something in this direction, the Committee is induced to submit the following suggestions for the consideration of the Foreign Ministers at Peking.

For various reasons into which it is not necessary to enter here, the Municipal Tax called "Wharfage Dues," hitherto levied in the Foreign settlement North of the Yang-king-pang, is likely to be abolished by the ratepayers at an early date. The resulting deficit in the Municipal Budget will have to be made up by retrenchment in expenditure, and probably also by new taxation.

The Wharfage dues, based upon an assessment of about one tenth of one per cent on the value of goods landed or shipped by residents in the settlement, have yielded about Taels 80,000 per year to the Budget. They are admitted to have been an insignificant charge on trade, and are only objectionable because, not being levied on the so called French concession, they have to that extent operated unfairly to residents North of the Yang-king-pang.

It would seem that if this Tax could be re-imposed in such a way as to fall impartially upon all imports or exports through the Foreign Custom House, a revenue might be raised which would go far towards the expense of river conservancy if it did not prove ample for all necessary work.

The following are the main features of the scheme which the Committee is prepared to advocate.

1.—A convention to be made between the Treaty powers and China, authorizing a special levy of "River Conservancy Dues" on all goods imported or exported through the Shanghai Foreign Custom House.

2.—The dues to be collected by the Foreign Customs at the same time as the tariff duties.

3.—The dues to be calculated on a basis of a tenth of one per cent on the value of the goods. Judging from the average of the years 1876-1878, this would yield annually about 117,000.00 Haikwan Taels.

4.—A certain portion of this sum to be paid by the Customs towards Municipal revenue, for division between the two settlements on some equitable basis. This payment to be in consideration of what the Municipalities have done, and will continue to do, in building and maintaining bunds and jetties and in clearing the foreshores of the settlements.

5.—The other portion to be applied by the Chinese Government towards the conservancy of the river, the removal of obstructions to navigation, and the general improvement of the approaches to the port.

6.—The money to be expended under the direction of a foreign Board of conservancy, of which the Commissioner of Customs should be ex-officio a member. This Board to receive the requisite powers from the Chinese Government.

It is a question whether "Port Dues" might not also be levied on all vessels entering at the Foreign Customs, at a moderate rate per foot of draft on arrival and departure. There is not much reason to believe that such a tax would be seriously objected to, if it were seen that the improvement of the river was actively taken in hand.

I ought to add that this scheme has up to the present time been discussed only by the members of the Committee, who desire me to submit it for the consideration of Your Excellency and your colleagues; should it meet with your approval, and should it appear likely to be acceptable to the Chinese, the Committee will be glad to aid in elaborating the details, and to co-operate as far as possible in bringing the project to a successful issue.

I have, the honour to be,

Sir,

Your Excellency's most obedient Servant,

(Signed) F. B. FORBES,
Chairman.

[Enclosure 1.]

SHANGHAI, *27th October*, 1879.

The Chairman

Shanghai General Chamber of Commerce,

SIR,

We have the honor to lay before the Chamber the enclosed statement shewing the serious detention and consequent loss to which the various steamers to our consignment for the last few months have been subjected thro' being unable to cross the Woosung Bar, and at the same time to urge that prompt action should be taken to have the Bar dredged, as it has now become a very serious obstacle to the Shipping Trade of this Port.

During the past few years the Bar has shoaled considerably, and the mud is now so hard that it is impossible for a steamer to plough through a few inches of it as was formerly frequently done.

We would also direct the attention of the Chamber to a large Jetty which has recently been erected in front of the site for the new Cotton Mills (formerly known as Dow's Godowns), as it extends such a long distance into the River, that in the opinion of experts it is liable to cause a Bank to form, and be a future source of danger to vessels navigating this River.

We have the honor to remain, Sir,

Your most obedient Servants,

(Signed) GEORGE WITHERS,
Acting Agent P. & O. S. N. Co.

(Signed) HTE. DU POUEY,
Agent M. M. Co.

(Signed) BUTTERFIELD & SWIRE,
Agents O. S. S. Co.

(Signed) ADAMSON, BELL & CO.,
Agents Castle Line of Steamers.

(Signed) JARDINE, MATHESON & CO.,
Agents Glen & China Coast Lines.

Statement shewing the number of Steamers and Sailing Vessels detained at the Woosung Bar, from the 1st June to 26th October, 1879.

Name of Vessel.	Arrived at Woosung.	Number of days detained at the Bar.	No. of Days Steamers left Shanghai for Woosung previous to departure homewards.	Quantity of Cargo discharged at, or sent to Woosung.	REMARKS.
Achilles	June 1	1			
Yang-Tsé	„ 1	2			
Stentor	„ 6	2	...		Lightened at Woosung.
Ava	„ 15	2			
Glenroy	„ 16	1			
Khedive	„ 18	5	3		
Djemnah	„ 29	2			
Anchises	„ 30	2			
Malwa	July 2	1			
Amazone	„ 13	3			
Kaisar-i-Hind	„ 15	5	2		
Anadyr	„ 26	...	2		
Bokhara	„ 30	3			
Peiho	Aug. 10	5	3		
Killarney	„ 11	4			
Ulysses	„ 12	3			
Cathay	„ 14	3			
Viceroy	„ 15	3	...	600 tons inwards. 200 „ outwards	
Priam	„ 25	1	...	300 „ inwards.	
Sindh	„ „	4	3		
Patterdale	„ 26	3	...		
Indus	„ 28	4	1		
Guy Mannering	„ 30	...	...		Discharged the whole of her Shanghai Cargo at Woosung.
Iraouaddy	Sept. 6	1	1		
Glencoe	„ 9	...	...		Do.
Khiva	„ 10	3	...		
Nestor	„ 12	2	...	350 tons inwards.	
Loudoun Castle	„ 23	...	...		Ran ashore, but in any case would have been compelled to discharge all her Shanghai Cargo at Woosung.
Tigre	„ 24	5	6		
Ajax	„ „	2	...	1,000 tons inwards	
Glenartney	„ 25	6	...		
Scindia	„ 26	...	...		Discharged the whole of her Shanghai Cargo at Woosung.
Viceroy	„ „	2			
Gwalior	„ „	3			
Glencoe	„ 30	4	...	450 tons inwards.	
Glenearn	Oct. 5	2			
Yangtsze	„ „	3			
Deucalion	„ 7	1			
Ancona	„ 9	4			
Braemar Castle	„ 26	1	...	600 tons inwards.	
Loudoun Castle	„ 24	...	...		Cannot cross Bar and must load her New York Cargo at Woosung.
J. R. Worcester	„ „	...	...		Was obliged to cross Bar on the 18th and complete her loading for London at Woosung,—detained until 30th.
Leander	„ „	...	...		Loaded for London, 26th September, but could not cross Bar until 1st October.
Kashgar	„ 24	...	...		Will probably not be able to cross Bar for about a week.

SUMMARY.

P. and O.	*M. M. Co.*
9 Steamers, detained 31 days.	10 Steamers, detained 27 days.
O. S. S. Co.	*Glens.*
8 Steamers, detained 14 days.	5 Steamers, detained 18 days.

Castles.

2 Steamers, detained 8 days.

(Signed) GEORGE WITHERS,
Acting Agent, P. & O. S. N. Co.

(Signed) HTE. DU POUEY,
Agent, M. M. Co.

(Signed) BUTTERFIELD & SWIRE,
Agents, O. S. S. Co.

(Signed) ADAMSON, BELL & CO.,
Agents, Castle Line of Steamers.

(Signed) JARDINE, MATHESON & CO.,
Agents, Glen and China Coast Lines.

[Enclosure 2.]

SHANGHAI, 29*th October*, 1879.

To the Chairman of the Chamber of Commerce,

SHANGHAI.

SIR,

As we understand that the Chamber are at present considering what steps should be taken regarding the Dredging of the Woosung Bar, we beg to inform you that during the past few months, our coast steamers have suffered detention at the Bar, and the matter is one of such importance to the steamers employed in the Coasting Trade generally, that we feel compelled to bring it before you. The depth of water on the Bar is now so decreased, that the steamers can frequently only cross at high water, and should they not reach the Bar in time for this, they are delayed a tide. With the steamers going to Tientsin, this detention is a very serious one, as when the steamer does not get over the Bar until the afternoon, she arrives at Chefoo at night after Custom House hours, and has to wait until 6 A. M. the following morning before beginning to discharge, so that the delay of one tide at the Woosung Bar, causes really a loss to the steamer of 24 Hours on the voyage.

We are,

Sir,

Your most obedient Servants,

(Signed) JARDINE, MATHESON & CO.
General Agents China Coast Steam Navigation Co.

[Enclosure 3.]

PENINSULAR & ORIENTAL STEAM NAVIGATION COMPANY.

SHANGHAI, 30*th October*, 1879.

F. B. FORBES, ESQ.,

Chairman of the Shanghai General Chamber of Commerce.

SIR,

Referring to the communication addressed to you on 27th instant by the Agents of the various lines of steamers trading to this Port urging upon the Authorities the great importance of dredging the Woosung Bar with the least possible delay, I have now the honor to draw your attention to a paragraph which appeared in the "North China Daily News" of 30th ultimo, to the effect that the River Steamer "Hankow" drawing only 10½ feet, was unable to cross the Bar for want of water, and that the "Tunsin" of equally light draft, was detained at Woosung, entering, for a similar reason.

The Agents of the Local Lines could doubtless furnish the Chamber, if required, with ample proof of the uncertainty that now exists as to the arrival of their steamers in Shanghai, and the date and time they are likely to cross the Bar on the passage outwards.

Upon consultation with the most experienced Pilots on the River, I have arrived at the conclusion that the Bar has shoaled within the last five years at least three feet, and upon the same testimony, I find that the Tug Boats employed on the River, now run a serious risk of grounding while performing the work for which they were specially constructed.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed) GEORGE WITHERS,
Acting Secretary.

[Enclosure 4.]

SHANGHAI, 30*th October*, 1879.

To the Chairman of the Chamber of Commerce,
SHANGHAI.

SIR,

Being informed that the Chamber have taken up the question of the Woosung Bar, and are considering what means should be adopted to remove the present obstruction, we take the liberty to bring under your notice the fact that our coasting steamers from the South during the last few months have been frequently detained at the Bar; this detention alone has caused a serious loss to the line, but we have moreover been compelled from time to time to shut out cargo from steamers loading for the South, as they would have been unable to cross the Bar with a full cargo, thus causing an actual and immediate loss of freight money to the steamers.

In bringing this matter to your notice, we hope that the efforts of the Chamber to have the existing obstruction removed will be successful, as it is of great importance that there should be free access to the port at all states of the tide.

We are,

Sir,

Your obedient Servants,

SIEMSSEN & CO.

H. M.'s Consulate,

Shanghai, 16*th December*, 1879.

F. B. FORBES, Esq.

Chairman of the Shanghai Chamber of Commerce.

Sir,

I beg to enclose a copy of a despatch I have received from Sir Thos. Wade, K.C.B., H. M.'s Plenipotentiary and Doyen of the Diplomatic Corps at Peking, referring to your letter of the 10th ultimo, upon the subject of the Woosung Bar, and stating that before proceeding further, his colleagues and himself thought it desirable that the views of the community at this port and of the Consular body should be ascertained regarding both the scheme of taxation and its application.

I am, Sir,

Your obedient Servant,

ARTHUR DAVENPORT,
Consul.

[Enclosure.]

Copy.

Peking, *December 3rd*, 1879.

Sir,

You will have received my Dispatch of the 19th November, instructing you to convey my thanks to Mr. Forbes, as Chairman of the Chamber of Commerce for his letter of the 10th ultimo upon the subject of the Woosung Bar. The enclosures in Mr. Forbes' letter confirm all earlier statements as to the increasing tendency of the Woosung Bar to shoal, and of the inconvenience to vessels passing and repassing, and the consequent loss sustained, especially by those interested in the Steam Traffic of the Port. The Committee of the Chamber, to which discussion of the means by which it may be possible to improve the navigation of the river, as Mr. Forbes observes, has been so far confined, althongh still without the assistance of competent scientific men, is nevertheless persuaded that the difficulties in the way of improvement are not insurmountable, could funds for the continued expense be secured; and experience having proved that appropriation of revenue by the Chinese Government to the desired object is at least improbable, the Committee inclines to adopt the recommendation that the money needed should be provided under certain conditions by the Port community itself. These conditions are that, under a convention to be concluded with China, a tax of one tenth of one per cent shall be levied by the Foreign Customs at the same time as the Tariff Duties, upon all goods imported or exported; that of the total sum thus to be raised, which on stated data, may be estimated at about Taels 117,000, a part shall be handed over to the two Foreign Municipal Bodies of Shanghai, for the maintenance or construction of works, more particularly of works along the river shores of the settlements; while part shall revert to the Chinese Government, to be applied to the conservancy of the river; the department so to apply it, being a Foreign Board of Conservancy, of which the Commissioner of Customs would be an Ex-officio member.

It is further suggested that a Port Due might also be levied at a moderate rate per foot of Draught upon all Foreign Bottoms on arrival and departure.

The imposition of a Port Due of this kind would affect other proprietary interests besides those immediately concerned in the Trade of Shanghai or even of China.

The levy of the one tenth of one per cent more directly regards the Port Community, and if the members of this were, unanimously or even generally, disposed to consent to the imposition on themselves, for a specific purpose, of a tax apparently so insignificant, there would seem primâ facie to be no objection to such a measure; but my colleagues and myself are of opinion that were any such arrangement agreed to, the taxes collected under it should be applied only to the conservancy of the river, Port Harbour and Woosung Channel included; and that it would not be expedient to recommend the application of money so collected to Municipal purposes.

Should the scheme be eventually adopted in principle, its details will not perhaps present much difficulty, meanwhile before proceeding farther, my colleagues and myself think it desirable that the views of the Port community regarding both the scheme of taxation and its application, limited as above, be ascertained; as also the views of the Consular Body.

I have to request you to communicate the matters of this Despatch to Mr. FORBES, and if he desire it, to furnish him with a copy of it.

I am, &c.,

(Signed) THOMAS FRANCIS WADE.

A. DAVENPORT, Esq.
&c., &c.
SHANGHAI.

No. 568.

SHANGHAI GENERAL CHAMBER OF COMMERCE.

SHANGHAI, 26*th January*, 1880.

To DAVID H. BAILEY, Esq.,
U. S. Consul General,
Doyen of the Consular Body,
SHANGHAI.

SIR,

I have the honour to hand you copy of a letter which the Committee of this Chamber addressed to H. E. Sir THOMAS WADE H. B. M.'s Minister at Peking, on the 10th of November last, regarding a scheme for the conservancy of the river approaches to Shanghai.

The Committee had received letters from the Agents of the principal Steamship Companies, from which it appeared that during the months of July, August, September, and October last the want of water on the Woosung Bar had caused an aggregate detention of not less than ninety eight days to thirty four vessels belonging to the Mail Companies, and the "Ocean," "Glen" and "Castle" Lines of Suez Canal steamers, besides subjecting them to other considerable expenses. It further appeared that even light draft river and coasting steamers had met with frequent detention at the bar, the shoaling of which was estimated by careful observers, at not less than three feet during the past five years.

The Committee felt that no time should be lost in again urging the vital importance of this question to shipping interests as well as to the prosperity of Shanghai itself. But in addressing the Foreign Ministers at Peking on the subject, they could not fail to remember that they had at different times been advised by persons of high authority that the Chinese Government was unlikely to apply existing sources of revenue to the conservancy of the river, and that probably any improvement would have to be not only initiated by foreigners, but practically carried out at foreign expense.

While the matter was under consideration by the Committee, the Council for the Foreign Settlement of Shanghai, proposed to the ratepayers the abolition of the Municipal dues of 1/10th per cent ad valorem on merchandize. The principal, if not the only objection to these dues being their unequal incidence under present arrangements, it seemed that if they should disappear from the Municipal Budget, they might with advantage be reimposed, under conventions with China, as "River Conservancy Dues" on *all* goods passed through the Shanghai Custom House. A Fund

might thus be formed, which, expended under the control of a foreign commission, would probably prove ample for the needed improvements at the Woosung Bar and elsewhere. Feeling therefore that little was to be expected from further insistance on the obligation of China to keep open the approaches to a treaty port at her own expense, the Committee were prepared to advocate an additional tax on trade for the special purpose, and they submitted the scheme for the consideration of Sir THOMAS WADE and his colleagues.

You will see from the enclosed copy of His Excellency's reply, under date of December 3rd, that the Committee's proposals are, with some minor modifications, approved by the Representatives of Foreign Powers at Peking. Before proceding further, however, Their Excellencies think it desirable to obtain an expression of the views of the Consular Body, and the Mercantile Community of Shanghai as to the scheme of taxation and its application.

I have therefore the honour to ask that you will be good enough to lay the matter before your colleagues, and to favour the Committee with a reply at your early convenience, as it is the intention of the Committee to publish the correspondence as soon as the views of the Consular Body are received. Should these be favourable, and should Wharfage dues be definitely abolished at the coming Ratepayers' meeting, the Committee propose to call a meeting of the Mercantile Community at large, at which the scheme may be discussed, and a decision taken as to further action.

I have the honour, to be,

Sir,

Your obedient Servant,

(Signed) F. B. FORBES,
Chairman.

UNITED STATES CONSULATE GENERAL,

SHANGHAI, 29*th January*, 1880.

F. B. FORBES, ESQ.,

Chairman, Shanghai General Chamber of Commerce.

SIR,

I have had the honor to receive your letter of the 26th instant, enclosing copies of your correspondence with His Excellency Sir THOMAS WADE, H. B. M.'s Plenipotentiary, and Doyen of the Diplomatic Corps, at Peking, regarding the conservancy of the River and its approaches to Shanghai.

The Consular Body having had this subject under consideration, I am to inform you that we concur in the views of His Excellency the Doyen at Peking and his Colleagues, as expressed in the despatch of December 3rd, 1879; and I am to say, that we favor your proposal to call a Meeting of the Shanghai Mercantile Community at large, to consider these important questions.

I have the honor to be,

Sir,

Your obedient Servant,

(Signed) DAVID H. BAILEY,
U. S. Consul General,
Senior Consul.

UNITED STATES CONSULATE GENERAL,
SHANGHAI, 29*th January*, 1880.

SIR,

I have had the honor to receive your letter of the 26th instant, enclosing copies of your correspondence with His Excellency Sir THOMAS WADE, H.B.M.'s Plenipotentiary, and Doyen of the Diplomatic Corps, at Peking, regarding the conservancy of the River and its approaches to Shanghai.

The Consular Body having had this subject under consideration, I am to inform you that we concur in the views of His Excellency the Doyen at Peking and his Colleagues, as expressed in the despatch of December 3rd, 1879; and I am to say, that we favor your proposal to call a Meeting of the Shanghai Mercantile Community at large, to consider these important questions.

I have the honor to be,
Sir,
Your obedient Servant,

(Signed) DAVID H. BAILEY,
U.S. Consul General,
Senior Consul.

F. B. FORBES, ESQ.,
Chairman Shanghai General Chamber of Commerce.

SWATOW GUILD.

No. 554. SHANGHAI GENERAL CHAMBER OF COMMERCE,
SHANGHAI, 22*nd November*, 1879.

SIR,

The recent suit in the Mixed Court of two British subjects, Messrs. DUFF and DAVID, against the Association known as the Swatow Guild, has brought to light certain facts which are of grave importance, and cause deep anxiety to the Mercantile Community of Shanghai. Any discussion of the merits of the case itself is, at present, beyond the province of this Chamber, but the Committee feels that no time should be lost in protesting against the disregard of treaty stipulations involved in the position held by the Swatow Guild under sanction of the Chinese authorities.

The Committee has reason to believe that the collection of the Likin tax on opium at Shanghai and Chinkiang is intrusted to Members of the Swatow Guild, either as direct agents for the authorities, or more probably as farmers of the revenue in question. To whatever extent this arrangement may be officially undeclared or disguised, the power exercised by the guild is so far effectual that payment of Likin is said to be refused from Chinese outside of the Association, who are further liable to be denounced for attempting to smuggle the very drug on which the tax has been declined. The result is that the Members of the guild, being enabled to close to others the only lawful outlet for opium, have acquired for themselves a practical monopoly of the trade at this port.

Unfortunately, legal evidence about matters in which the local authorities are interested, is never easily obtained in China, and in this instance is now impossible to produce. The reason is not far to seek. Since the proceedings in the Mixed Court, the Taotai has issued a proclamation in which he declares the statements of the plaintiffs in this case to have been unfounded and malicious, and warns his people to beware of bringing wanton and calumnious accusations in future. To the Chinese, who are accustomed to read between the lines of such documents, this proclamation is a significant hint to say nothing at all, and the Committee has therefore not been surprised within the last few days, to be met with blank assertions of ignorance from trustworthy natives who were previously ready to give full information.

The difficulty of obtaining evidence is further complicated by the fact that the Swatow Guild has been for many years in undisputed enjoyment of its privileges, which, as the Committee is informed, date back to an arrangement made when His Excellency TING-JIH-CHANG was Taotai of Shanghai. However this may be, it is notorious that for a long time past, Swatow men have been the exclusive traders in opium here, either as principals, or as brokers for non-members of their guild, and the quiet acquiescence of other Chinese merchants in this state of things goes far to prove that it has official sanction. It is probably not too much to say that the arrangement is accepted by every one who is not ready to take the risk of evading the Likin tax altogether.

The Committee has been verbally informed by Mr. DAVENPORT, H. B. M.'s Consul here, that he is sending to Your Excellency such information as he has been able to procure, including, the Committee understands, certain important admissions by the present Taotai as to the connection between the Swatow Guild, and the Opium Likin Office: I can only regret that circumstances have precluded the Committee from supplementing Mr. DAVENPORT's statement by any direct evidence.

It hardly needs argument to show that a trading guild allowed to farm the inland revenue on commodities in which it deals, is a privileged corporation within the meaning of the Treaties, and there is no reason why, if found to work successfully in the case of Opium, the system should not be extended to Tea, Silk, and Piece Goods. There are indeed serious grounds for belief that fiscal arrangements of this kind at the outports have had much to do with the virtual banishment of foreign importers, which it has been the fashion to ascribe to the greater prudence and economy of the Native Traders.

The Canton Co-hong monopoly, in spite of its one advantage of a collective responsibility enforced by the Chinese Government, was found so intolerable, that it was solemnly abolished by treaty. It would appear however, that the establishment of Likin in the face of the Treaties, has gradually led to other equally illegal combinations, which, in port after port, and in one thing after another, threaten to hedge in foreign trade with privileged guilds, worse than the old Co-hong in proportion as the interests affected are larger, and more difficult to combat, because while effectually screened, they are not officially recognised before Foreign Powers.

If any additional motive were needed for a vigorous declaration of treaty rights with regard to Likin, the Committee would respectfully urge that it may be found in the tempting facilities offered to the collectors of this tax for the evasion or open disregard of other vital stipulations. The Committee cannot conceal its anxiety lest, if the present opportunity be allowed to pass without dealing firmly with this question, the development of foreign trade may be still further crippled, if not entirely arrested by such underhand influences. This statement is submitted in the hope that Your Excellency and your Colleagues may feel that the circumstances are such as to call for a prompt consideration of an undoubted grievance.

I have the honour to be, Sir

Your Excellency's obedient Servant,

(Signed) F. B. FORBES,
Chairman.

HIS EXCELLENCY SIR THOS. FRANCIS WADE, K.C.B.
H.B.M. Envoy Extraordinary and Minister Plenipotentiary, &c., &c.
PEKIN.

Similar Letters to

HIS EXCELLENCY THE HON. GEO. F. SEWARD,
U.S. Envoy Extraordinary and Minister Plenipotentiary.

HIS EXCELLENCY M. VON BRANDT,
H.G.M. Envoy Extraordinary and Minister Plenipotentiary.

A. KOYANDER, ESQ.,
Chargé d'Affaires for Russia.

T. PATENOTRE, ESQ.,
Chargé d'Affaires for France.

H. M.'s CONSULATE,
SHANGHAI, 14*th November*, 1879.

SIR,

I beg to forward you herewith a translation of a proclamation recently issued by the Intendant of the Soo, Sung, and Tai Circuit, with reference to the cause of DUFF and DAVID, v. The Directors of the Swatow Guild at this port, recently heard by him at the Mixed Court of this Settlement.

I am, Sir,
Your obedient Servant,
ARTHUR DAVENPORT,
H. M.'s Consul.

F. B. FORBES, Esq.
Chairman of the Shanghai General Chamber of Commerce.

[Enclosure.]

Copy Translation.

PROCLAMATION.

Whereas trade between Chinese and Foreigners entirely depends on the maintenance of good faith, and regard for the rights of all, while fair and straight-forward conduct is invaluable in business dealings: and whereas Shanghai is a flourishing port open to foreign trade, resorted to by multitudes of merchants for purposes of traffic, which traffic has now been peaceably carried on for many years, during which time it has been free from any practices in the nature of monopolies: and further, whereas certain foreign merchants of Chinkiang,—likewise an open port, at which the Chinese and Foreigners doing business there, have hitherto been on the best terms, have recently brought a charge against the Managing Members of the Swatow Trading Association at Shanghai, for controlling the freedom of sale in foreign Opium: and whereas, several sittings of a joint inquiry having been held, and proof of the charge failing, a prosecution for malicious representations should by rights have been instituted: now therefore, in consideration of the uniform friendliness with which commercial matters have been hitherto conducted on both sides, the present instance of an action at law brought by foreigners, induced thereto by feelings of suspicion, shall be passed over, and the case concluded in a spirit of the utmost leniency.

From this date all are required to attend quietly to their own callings; to continue to import and sell as heretofore; to be just and true in all their dealings; at all times to be kindly disposed one to another; and to put away all feelings of distrust and doubt: but the provisions of the Law shall be sternly and unfailingly enforced for the punishment of such as offend by Exercising Trade Monopolies, or who bring wanton and calumnious accusation.

The British Consul having been requested by despatch from me to cause the above to be publicly made known, it is my duty to declare, and it is hereby declared that the above contained rules are to be exactly and implicitly obeyed by all merchants dealing in foreign Opium.

Translated by
(Signed) L. C. HOPKINS.

BRITISH CONSULATE,

SHANGHAI, *9th January*, 1880.

SIR,

I beg to forward for your information a translation of certain regulations made between the office bearers of the Shanghai Foreign Opium Committee and the several Canton and Swatow Associations, furnished to me by the Intendant of the Soo, Sung and Tai Circuit.

I am, Sir,

Your obedient Servant,

ARTHUR DAVENPORT,

Consul.

F. B. FORBES, ESQ.

Chairman of the Chamber of Commerce,

SHANGHAI.

[Enclosure.]

PROHIBITORY TRADE REGULATIONS MADE BY THE SEVERAL CANTON AND SWATOW ASSOCIATIONS.

1.—The several Chinese dealers are not allowed to take goods (Foreign Opium) from Foreign Hongs; they are only allowed to trade at the hulks. After payment of Likin Tax, in accordance with the regulations, they will then be permitted to take possession of their goods for further disposal. In case of disobedience, a general petition will be presented that they be dealt with and not allowed to open shops; should they make purchases at Foreign Hongs, and not reporting and paying the Likin Tax, surreptitiously sell the same, it shall likewise be wholly confiscated.

2.—When Chinese merchants buy goods they must first report to the Kung-so at what hulk they intend to make their purchases, in order that men may be sent to the jetty to affix the seal, when the goods will be sent to the office of the Opium Committee, where seals will be affixed to every piece or package, and the folds of the covers be stamped. Should the goods be about to be sent to different places, divisional permits must be applied for: if goods be without the seals of the Committee, or be bought from Foreign Hongs without payment of the Likin Tax, the Committee will send runners to effect seizure.

3.—When the runners seize contraband Opium, they must bring it to the office of accounts to be entered in the books; it shall be handed the office bearers of the month, who shall sell the same, and the smuggler shall be sent to the City Magistrate to be punished.

4.—The proceeds of the sale of the contraband Opium shall be divided into two shares, one of which shall be bestowed on the informer, and the other be placed in the general fund for providing rewards.

5.—The sixteen runners shall be divided into four sets, which shall exchange positions every seven days; Four men shall be on duty at the Committee Offices and assist at the affixing of the seals, and twelve shall be on duty as watchers. Should any runner fail to make a seizure during his term, although his period of service be finished, he must still effect the arrestation. On application a runner will be allowed to leave the Committee room to effect seizure, but his post must be taken by another runner in order to prevent truantship.

6.—Runners must not create disturbances or extort money, and in case they unlawfully effect seizures for the purposes of revenge, they will on discovery be severely punished.

7.—When making seizures of contraband Opium, should the runners return a less than the right quantity with the intention of fraudulently appropriating, on discovery they shall be severely punished.

8.—When runners are on duty outside the Committee room they must wear their girdle tallies; when proceeding to a distance to make seizures they must wear uniform and obtain warrants, and they must before taking action, apply to the immediate barrier offices for assistance.

JOINT STOCK COMPANIES ACTS.

SHANGHAI, *6th December*, 1879.

To the Chairman of the

SHANGHAI GENERAL CHAMBER OF COMMERCE.

DEAR SIR,

We have recently been made aware of the fact that an Order in Council for the extension to the Treaty Ports of China and Japan of the provisions of the Joint Stock Companies Acts of England has for some time past been contemplated by H. B. M.'s Government, and it has further been brought to our knowledge that, some doubt existing in the mind of Lord Salisbury as to whether such a measure is really practically needed or desired by the British Community in this part of the world, the Foreign Office has now requested H. B. M.'s Minister Plenipotentiary at Peking and the Chief Justice of the Supreme Court at Shanghai to report on the point.

Believing, as we do, that the acquisition of the facilities in question would prove of considerable benefit to the Commercial interests of Shanghai, we beg to bring the matter to the notice of the Chamber, and to express a hope that the Committee may see fit to record in the proper quarter, the opinion of the Chamber in favor of the arrangement proposed.

In support of our request we think we have only to draw your attention to the fact that there are at the present moment in existence in Shanghai eight local Joint Stock Associations formed to supply the Settlement with Wharves, Docks, Gas, Steam Communication with the other Treaty Ports, and facilities for Marine Insurance, all necessary objects for which the private resources and enterprise of individual Capitalists would be altogether inadequate. Each of these undertakings contributes in its way to the mercantile prosperity of the port, and, so far as we are able to judge, possesses a majority of British Shareholders and British Capital, but the absence of any available means for establishing them on a legally recognised basis, or for limiting the liability of their Shareholders should it be desired to do so, imposes such serious risk on the proprietors, and might under certain circumstances, be attended with so much difficulty and inconvenience, that we think the present opportunity should not be lost of exerting the influence of the Chamber in favor of a measure which would secure to public Companies in this place, the same privileges and safe guards as are enjoyed by similar institutions at home or in the Colonies. The interests and operations of the Shanghai Companies to which we have referred being for the most part purely local, it is obvious that registration elsewhere is practically impossible so far as they are concerned.

We may add, in conclusion, that it is advisable that any representations should be made with as little delay as possible, in order that they may be in time to be embodied in the reports which are to be sent home on the subject.

We are, Dear Sir,

Yours faithfully,

(Signed) JARDINE, MATHESON & CO.
" GIBB, LIVINGSTON & CO.
" BIRLEY, WORTHINGTON & CO.
" REISS & CO.
" TURNER & CO.
" ADAMSON, BELL & CO.
" WILKINSON & CO.
" EVANS, PUGH & CO.
" J. KENNARD, DAVIS,
Acting Sec., for the North China Insurance Co.
" GEORGE, WITHERS,
Acting Agent, P. & O. S. N. Co.
" BRAND BROS. & CO.
" ALFRED, DENT & CO.
" FORRESTER, LAVERS & CO.
" MAITLAND & CO.
" GEO. BARNET & CO.
" CARTER & CO.
" CHAPMAN, KING & CO.
" DAVID, SASSOON SONS & CO.
" *p. pro.* LUCAS & CO.
" S. WALKER.
" *p. pro.* DRYSDALE, RINGER & CO.
" G. A. LINDSAY.
" *p. pro.* HOLLIDAY, WISE & CO.
" JOSEPH BEATTIE.
" HYDE, HERTZ & CO.
" CUMINE & CO.
" EWEN, CAMERON,
Manager,
For the H'kong & S'hai Banking Corporation.
" REID, EVANS & CO.
" JAS. A. TAYLOR,
Manager Shanghai,
For the Chartered Mercantile Bank of India, London and China.
" B. H. BURNS,
Manager, for the Oriental Bank Corporation.
" M. W. BOYD,
Manager,
For the Chartered Bank of I., A. & China.
" C. E. THOMSON,
Manager, for the National Bank of India.
" THO. D. SKELLY,
Acting Manager, for the Agra Bank, Limited.
" BUTTERFIELD & SWIRE,
" IVESON & CO.
" A. PROVAND & CO.

BRITISH MEMBERS OF THE CHAMBER.

No. 560. SHANGHAI GENERAL CHAMBER OF COMMERCE,

SHANGHAI, 12*th December*, 1879.

SIR,

I have the honour to enclose herewith copy of a letter addressed to the Committee on the 6th instant by all the British Members of this Chamber, on the subject of an extension to Shanghai of the provisions of the English Joint Stock Companies Acts.

The signers of this letter, as Your Excellency will remark, form an important majority of the Mercantile Community of Shanghai, and the Committee fully concurs in the views expressed as to the necessity of the proposed measure in a place where associated capital is already employed in so many large enterprises.

The Committee begs that Your Excellency will be pleased to lend your powerful support to our representations, and that you will see fit to commend them to the favourable consideration of H. B. M.'s Government.

I may add, as an indication that the desire to improve the legal status of our local companies is shared by others than British Merchants, that, as the Committee is informed, certain American Members of this Chamber are addressing His Excellency the United States Minister at Peking on the same subject.

I have the honour to be,

Your Excellency's obedient Servant,

(Signed) F. B. FORBES,

Chairman.

His Excellency Sir THOS, F. WADE, K. C. B.

Envoy Extraordinary and Minister Plenipotentiary, &c., &c.

PEKIN.

NEW TELEGRAPHIC REGULATIONS.

No. 757. SHANGHAI, 11*th December*, 1879.

To the Right Honourable Lord,

JNO. J. R. MANNERS, M. P.,

H.B.M. Post Master General,

St. Martins Le Grand,

LONDON.

MY LORD,

I have the honour to address you on the subject of the decisions arrived at by the recent London Telegraph Conference, which in the opinion of this Chamber are likely to be a source of great trouble and expense unnecessarily cast upon a large part of the Mercantile Community.

The objections to the proposed alterations are more especially to the 8th and 28th clauses of the Convention, the former being a sweeping condemnation of the use of proper names in other than their original sense, and the latter dealing with the number of figures which may constitute a group.

As far as can be judged from a lengthened experience, the proposed restrictions will have little or no effect in lessening the attention and care required from the transmitters to ensure correctness, the mistakes which the change is supposed to obviate being hitherto quite as frequent in simple words, as in those which are distinguished by some peculiarity. In the latter case, granting that such mistakes are inevitable, there is a greater chance that the word though mutilated, would be decipherable, and that the receiver would be able to use his dearly bought intelligence, which might probably lose much of its value, while waiting for the repetition of a simpler word.

The Telegraph Companies accept no risk depending upon incorrect delivery, and further propose to charge for repetitions under all circumstances, and it therefore appears only reasonable that the Merchant should be allowed within fair limits to take such precautions as are dictated by experience to guard against the occurence of such errors.

From constant practice, Merchants have by this time arrived at a tolerably correct idea of what words are least likely to undergo alteration *en route*, and also of those which are most easily recognizable under such circumstances.

Of such words, proper names above all others have seemed to them the most suitable, the choice being large, the words in most cases well known, and moreover easy of identification in the event of partial mutilation. To debar the public from their use is to introduce another element of uncertainty where too many already exist.

In reply to the argument that this step has been forced on the Telegraph Companies by the use of unmeaning combinations under the guise of proper names, it does not appear just that the Community at large should be made sufferers for the acts of a few, when a summary remedy was in the hands of the Companies; such practices could easily have been stopped by a refusal to accept such manufactured words, (as indeed has already been done in the case of Whitelaw's Code,) and without making a sweeping alteration which interferes with numberless codes constructed upon a reasonable basis.

This Chamber is also of opinion that so far from fostering the use of the lines to their fullest extent, the proposed alterations will, in all probability, have an entirely contrary effect. The change involves a limitation to a class of code words already found specially open to error, and in proportion as the expense of sending messages, and the uncertainty of their correctness increase, so the use of the lines by Merchants for any but the most important business must diminish. There is also the grave objection that the change will involve the reconstruction of most existing codes, which no longer ago than 1875 were, at a heavy outlay of time and money, compiled afresh to meet the requirements of the St. Petersburgh Convention. Merchants find it difficult to recognise the justice or necessity for the new rules, which impose on them a further tax of labour and expense, particularly when it appears probable that the new system will add little if anything to the certainty with which telegrams are now transmitted by familiar codes.

It has been said that it is not the object of the Telegraph Companies to encourage the use of codes, and that by the employment of plain language all difficulty would be avoided. Unless however it is the interest of the Companies to restrict the use of their lines, this position is untenable, as without the coding system, at least four fifths of the present Mercantile Telegrams would be impracticable on account of the expense, and some Commercial Messages might not be sent at all, without the assurance of secrecy afforded by codes.

With regard to the diminution of the number of figures constituting the equivalent of a word, it is also the general opinion that the alteration is vexatious, and made without a due regard to the interests of the public. By the St. Petersburg Convention the number of figures constituting a group was limited to *five*, at the same charge for each group as a word of *ten* letters, thus allowing for what is called "collating." This double charge for figures it is now proposed to increase by allowing only Three figures as a group, a number quite insufficient for the most ordinary purposes, as even the year (1879) cannot be telegraphed without paying double its former cost or four times the cost of a word of ten letters. The simple statement that it would require 100,000 words to represent all the combinations of only Five figures is enough to show the almost insuperable difficulty of compiling a code under such circumstances

Of the remaining clauses of the convention there is little to be said, as they differ very slightly from those of former arrangements, but as nearly all the so called concessions have been habitually in use on our foreign lines for some years, it can hardly be said that the public are in any way the gainers.

This Chamber recognises the fact that the original cost and the expense of maintaining the present submarine cables must have been large, and it has no objections to raise to such arrangements as may be required to ensure an adequate return to the Telegraph Companies: but if the present system is unsatisfactory in its results, the Chamber believes that far more would be gained by

increasing the tariff where necessary, than by the proposed restrictions on the use of figures and code words. I respectfully submit that, for the reasons which I have endeavoured to set forth, these restrictions are vexatious and likely to diminish rather than develop commercial telegraphy, and I venture to hope that your Lordship may see fit to use your powerful influence in recommending that the late convention be modified, so as to entail less hardship on the Mercantile Communities of the Far East.

I have the honour to be,

Your Lordship's obedient Servant,

(Signed) F. B. FORBES,
Chairman.

SHANGHAI, 11*th December*, 1879.

A. MICHIE, ESQ.,
Chairman of the London Committee of
The Shanghai General Chamber of Commerce.

DEAR SIR,

The arbitrary restrictions proposed to be adopted by the late London Telegraphic Conference appear to call for some expression of opinion on the part of this Chamber, and the Committee have accordingly drawn up a letter addressed to H. B. M. Post Master General pointing out what appears to them a great hardship forced upon the community of the Port, and requesting his interference to suggest a modification of the objectionable articles.

As however there seems to be an opinion that his Lordship has already expressed his objections to interfering in any way with the action of the Conference in the matter, it has been thought advisable to forward the letter in the first instance to you, and to ask you to use your discretion in conveying it to the proper quarter, if in the opinion of the London Committee, there are reasonable grounds for supposing that his Lordship will give it his attention.

The Chamber would be loath to pass over the action of the Conference in silence, as indicating an apathy on the subject which is far from being felt, but they are naturally averse to a course of action which can lead to no beneficial results, and in the event of the Post Master General having decidedly declined to interfere, it would perhaps be better to suppress the letter which is enclosed herewith, and to take such other steps as may seem advisable to bring the opinions of the Chamber to the notice of the proper authorities.

I am, dear Sir,

Faithfully yours,

F. B. FORBES,
Chairman.

Despatch No. 710.
Enclosure 2.

MINUTES of a Public Meeting of the Mercantile Community of Shanghai for the purpose of considering a Memorial to the Foreign Ministers in Peking, with reference to River Conservancy Dues, convened by the Consular Body, at the request of the Shanghai General Chamber of Commerce, held at the Shanghai Club, on Friday, 2nd April, 1880, at 2 o'clock p.m.

Present :—

Dr. FOCKE, Consul-General for Germany and Senior Consul.
C. F. R. ALLEN, Esq., Acting H.M.'s Consul.
O. N. DENNY, Esq., Consul-General for the United States.
G. LEMAIRE, Esq., Acting Consul-General for France.
Chevalier C. DE BOLESLAWSKI, Consul for Austro-Hungary, and Acting Consul for Italy.
ALBERTO DE GARAY, Esq., Consul for Spain.
E. SHINAGAWA, Esq., Consul-General for Japan.
A. F. PINTO BASTO, Esq., Consul-General for Portugal.
J. BELL-IRVING, Esq., Acting Consul for Denmark, and a Member of the Committee of the Chamber of Commerce.
F. B. FORBES, Esq., Consul-General for Sweden and Norway, and Chairman of the Shanghai General Chamber of Commerce.
Dr. B. CHRISTIERNSSON, Vice-Consul for Sweden and Norway.
D. H. BAILEY, Esq., late Consul-General for the United States.

Members of the Mercantile Community as recorded by the Secretary :—

Aretz, W. H.	Grant, C. L.	Lindsay, G. A.	Rustonjee, P.
Artindale, R. H.	Groom, F. A.	Little, R. W.	Skeggs, C. J.
Bidwell, H. S.	Gubbay, R. A.	Love, J.	Sleeman, Lieut.
Birt, W.	Hague, E. P.	Macgregor, J.	Solomon, E. A.
Bluntschli, G.	Harding, J. W.	Maclean, P.	Such, H. J.
Boomer, G. E.	Hart, J. H.	Malherbe, R. de	Tata, D. C.
Brand, W.	Hart, J.	McKie, R. D.	Taylor, J. A.
Buchanan, J.	Hawes, J. A.	Mendel, L.	Telge, B.
Burman, A.	Hearn, H. R.	Moses, M.	Thomson, C. E.
Butler, G. A.	Holliday, J. F.	Moore, E.	Thorne, C.
Burmeister, E.	Howie, W.	Morrison, G. J.	Taumeyer, E.
Boyd, M. W.	Hübbe, P. G.	Nachtrieb, A.	Wade, H. T.
Cooper, J.	Ilbert, A.	Nathan, J. A.	Walker, S.
Dalgliesh, W. H.	Jones, Douglas	Overbeck, H.	Ward, W. C.
Davis, J. K.	Kingsmill, T. W.	Peerbhoy, J.	Wetmore, W. S.
Dudgeon, C. J.	Kirchhoff, H.	Percival, R. H.	White, W.
Dyce, C. M.	Knight, F. P.	Pouey, H. de	Wheelock, T. R.
Fearon, J. S.	Krauss, A.	Primrose, W.	Wolff, M.
Forbes, F. B.	Krebs, C.	Purdon, J. G.	Wood, A. G.
Francis, R.	Lalljee, M.	Reiners, W.	Youd, F. M.
Fuckirbhoy, M.	Lavers, E. H.	Rothwell, Thos.	
Gilmour, D.	Lemarchand, F. W.	Rouston, J.	
Goslanhoism, A.	Lind, A.	Ruttmann, A.	

Mr. FORBES, in opening the proceedings, said—I propose that Dr. Focke, the Senior Consul, take the chair at this meeting.

Mr. J. F. HOLLIDAY—I second the motion.
The motion was accepted *nem. con.*, and Dr. Focke took the chair.

The CHAIRMAN—We will now proceed to business. I wish it to be understood that at this meeting only merchants (members of a mercantile firm) will vote on any motion that may be brought forward, and that only one representative of a firm will vote. I now call upon Mr. F. B. Forbes, the Chairman of the Chamber of Commerce, to move the resolution which we have come here to discuss.

Mr. FORBES—I beg first to move that Mr. Corner be appointed Secretary of the meeting.

Mr. LAVERS—I beg leave to second that motion.

The CHAIRMAN—You have heard the motion that Mr. Corner be appointed secretary of the meeting. Does anyone object?
The motion was carried.

Mr. FORBES—Mr. Chairman and Gentlemen—The resolution which I have to propose on behalf of the Committee of the Chamber of Commerce was published several days ago in the newspaper, and is as follows :—
Whereas the commercial interests of Shanghai are seriously threatened by the deterioration of the River approaches to the port, and whereas all appeals to the Chinese authorities to undertake the Conservancy of the River have proved ineffectual, owing to the want of funds for that object ;

Resolved, that this meeting of the Mercantile Community of Shanghai, concurs with the Chamber of Commerce in deeming it expedient to recommend that funds for River Conservancy be raised by the imposition of dues at the rate of one-tenth of one per cent. *ad valorem* on all merchandise imported or exported through the Imperial Maritime Customs here, these funds to be administered by a Conservancy Board on which the Mercantile Community shall be represented.

Resolved also that this meeting approves of the following memorial on the subject to the Representatives of Foreign Powers in China, and desires that it be circulated for signature by the Committee of the Chamber of Commerce, and forwarded to Their Excellencies as soon as possible.

Mr. FORBES also read the following

MEMORIAL.

TO THEIR EXCELLENCIES

THE REPRESENTATIVES OF FOREIGN POWERS IN CHINA.

May it please Your Excellencies,

We, the undersigned, merchants of Shanghai of different nationalities, beg to draw your attention to the increasing obstructions to the navigation of the Whangpoo River, the main waterway between Shanghai and the sea. The subject has already been so often brought to your notice during past years, that it does not seem necessary to recapitulate in detail the growing encroachments of bars and shoals on the navigable channel of the River, by which the commercial prosperity of this port is seriously threatened. It may be enough for us to refer to the facts, as presented in the correspondence forwarded last autumn to Your Excellencies by the Shanghai General Chamber of Commerce.

The general question of the Conservancy of the Whangpoo Rivers is undoubtedly one of much complication, and it can only be approached by persons of special scientific knowledge, aided by numerous and systematic observations. But there is no reason to suppose that the dredging and maintenance of a navigable channel across the Woosung Bar, and an immediate improvement of the harbour of Shanghai cannot be accomplished by the same means which have proved successful elsewhere, and at an expenditure which can be calculated in advance with sufficient accuracy.

We have been led to believe by the unsatisfactory results of repeated applications that all attempts to persuade the Chinese authorities to dredge the Bar will be unavailing, and that no regard for the important revenue derived from the trade of this port is likely to induce them to do more than they are compelled to do by treaty stipulations, none of which directly provide for the removal of obstructions to navigation. The evils complained of are, however, so great, that prompt action to avert them is urgently demanded, and as we understand that one, if not the principal, objection of the Chinese Government is the want of money for the purpose, we are induced to propose means by which the necessary funds may be raised without trenching on existing revenues.

The gradual closing of this port unfortunately menaces not only our interests as merchants, but those of property holders in our Settlements, and of the owners of the great fleet of steamers and ships that trade in these waters. We feel that in strict justice any scheme of taxation for the improvement of our river approaches should include everyone interested in the fortunes of the port, and we have no reason to suppose that property holders and shipowners would be averse to an arrangement by which they might contribute their fair proportion. We are aware that there are difficulties in the way of reaching these two classes, but we would beg of Your Excellencies to consider whether these difficulties may not in some manner be overcome. In the meantime, however, it seems to us evident that trade, for which Shanghai was first opened to foreigners and which is the main source of her past, as it must be of her future prosperity, offers the widest and best area over which to distribute taxation for River Conservancy. The aggregate annual value of this trade, as shown by the Customs Returns for the six years, 1873 to 1878 inclusive, has averaged Tls. 125,000,000 Shanghai Sycee, and under present circumstances the most practical form of raising the requisite funds would seem to be by dues on the whole trade, based on a percentage which long experience has proved not to be onerous, and levied like the tariff duties in a way which would cause the least possible trouble and expense.

We propose in short that special conventions be made with China by which River Conservancy Dues of one-tenth of one per cent. *ad valorem* shall be imposed on all merchandise, whether foreign or native owned, passed through the Imperial Maritime Customs of this port, on the first entry of the goods, but not leviable in cases of re-export from Shanghai. It should be expressly stipulated that the funds so raised should be wholly and exclusively expended, first in keeping open a navigable channel across the Woosung Bar, and afterwards in the general improvement of the River and port. To ensure this we believe it to be indispensable that the work should be supervised and controlled by an essentially Foreign Board of Conservancy, on which the Chinese authorities should be adequately represented by the Commissioner of Customs or others, as may be decided by the High Contracting Parties. It would also seem advisable that the members of this Board should be invested by the Central Government with powers to execute the works necessary for river and harbour conservancy within certain limits, and that they should be able to dispose of the dues, not only for current expenditure, but even to pledge them as security for public loans, should an immediate outlay be required equal to the estimated income of several years.

According to the figures already quoted, the amount of such dues would be about Tls. 125,000 Shanghai Sycee per annum, and they would grow with the natural expansion of the trade. As the records of the Chamber of Commerce contain a tender made some years ago to dredge a channel across the Bar of sufficient breadth and depth for Tls. 107,000 or Tls. 80,000, dredgers being provided, it is probable, not only that the dues would yield ample funds for dredging the Bar, but that there would be an annually increasing surplus applicable to such other works in the river and harbour as might be recommended by the engineers in charge.

The best proof which we can offer to Your Excellencies of the importance which we attach to the immediate execution of the works in question is that we ask to have the expense defrayed by an extra burden on the trade in which we ourselves are concerned, although that is already sufficiently hampered by direct and indirect taxation. We are glad to know through the Chamber of Commerce, that Your Excellencies have already been pleased to approve in principle of the arrangement proposed, and we trust that on your recommendation early steps may be taken to negotiate the necessary conventions with China.

Mr. FORBES continued—The question which we have met together to consider to-day is one of the most important which has ever been brought before a public meeting in Shanghai to discuss. In fact, I do not think it is too much to say that it is the question of our existence as a mercantile community, for there can be no doubt that unless something is done to check the deterioration of our river, we must look forward to a not very far distant day when Shanghai will have ceased to exist as a port of trade. We have spent years in urging the Chinese authorities to do what governments of countries which call themselves civilised do without urging as a matter of self-interest, and only once has a ray of hope pierced through the cloud which separates Peking from the rest of the world. Our Senior Consul, Mr. Seward, told us in October, 1871, that he had spoken about the Woosung Bar to Mr. Hart, the Inspector-General of Customs, who had informed him that a dredging machine would be sent for. Then we were told there were no funds; then that there were doubts

as to the practicability of improving the bar; then the Chinese declared that the bar was "a Heaven sent barrier;" then we were asked to furnish scientific opinions and we obtained at our own expense an elaborate report from two competent Dutch engineers, which we may presume now occupies a pigeon-hole in the Tsung-li yamen; then we got an actual offer from a practical man, whose business was dredging, to open a sufficient channel across the bar for a given sum. Finally in 1879 the same Inspector-General of Customs, who, in 1871, was authorised to say that a dredging machine was coming, is obliged to tell us again that he has no funds at his di-posal, that he can hold out no hopes, and during all these years the evil has been growing under our eyes. That is a brief sketch of the history of the past ten or eleven years. The moral of the whole story is this. The Chinese Government say that their treaties do not oblige them to conserve the river, and that their ordinary revenues do not leave them any funds available for the purpose. The alternatives before us, therefore, are these. Shall we allow nature to take its course, and when the bar has closed Shanghai as a port, shall we remove elsewhere and begin to build again the foundations of a great emporium like that which we have here to-day; or can we propose to China any means of raising new revenue sufficient for the work immediately required, towards which we foreigners, who make the proposal, shall pay our fair share? Of these two alternatives, I think we can only choose the latter, and if so, the next question to consider is—What is the interest which is most jeopardised by the deterioration of the port, and which will benefit most by the conservancy of the waterway, and to that I know of only one answer—the trade for which Shanghai was opened, and by which alone Shanghai prospers. On the trade fo the port, therefore, the proposers of this resolution recommend that the first tax for the improvement of the port should be imposed, and this plan has several practical advantages. First, that the percentage proposed has been found by long experience not to be a burdensome tax on commerce; second, that the foreign and native trader would each pay strictly in proportion to the volume of his trade; and, third, that the tax being collected through the Foreign Customs, by an already organised staff, would give the least possible trouble to all concerned, and the least possible expense in collection. The first objection that naturally occurs to this scheme is that traders in imports and exports are not the only people concerned in Shanghai. We have shipowners whose vessels come here, holders of land and house property in the Settlement, and bankers who move large amounts of treasure in and out of Shanghai. Why should not the ships, and the real estate, and the treasure be taxed? There is force or plausibility in these points, and I will try to deal with them one by one. You have seen by the published correspondence that the imposition of Port Dues on shipping was part of the original scheme of the Chamber of Commerce Committee, but that Sir Thomas Wade, on behalf of the whole diplomatic corps of Peking, made the same objection as he did some years ago in his own name as British minister, namely, that there were other proprietary interests involved than those of the port itself. The force of the objection, however, stated thus shortly as it was on both occasions, does not seem altogether clear, and you will notice that in the draft memorial to the Ministers, which forms part of the resolution before the meeting, their Excellencies are requested to reconsider their decision on this point. Then as regards property holders—there is no doubt that they will profit by any improvement in the approaches to Shanghai, and I do not suppose that they would object to pay their fair proportion for this purpose; but the difficulty is how to reach them. The foreign treaties have never recognised any Chinese tax on land acquired by foreigners except the Imperial ground rent, and as far as I am informed Chinese law provides for no other as regards Chinese subjects. We have two foreign settlements here, and in both the ratepayers tax themselves only from year to year, and with our present Municipal systems no permanent scheme of taxation could possibly be made dependent on the annual decisions of a very small body of foreign ratepayers. It is, perhaps, possible that the Chinese Government may in time accord a more complete recognition of our municipalities, so that each municipality might be bound by treaties to provide an annual sum from its Budget for River Conservancy, but I fear that time is not in the near future. As regards taxing bankers on the amount of bullion imported and exported, even supposing the bankers to agree, or to be forced to pay such a tax, they would at once recoup themselves by an equivalent in their discounts or rates of exchange. The movement of bullion to and fro in the East is simply an incident of the trade in merchandise, and any charge on the movement of the bullion must inevitably in the long run fall upon the goods which the bullion in one way or another represents. Apart, therefore, from the fact that in no civilised country bullion is taxed, I do not see what we, as merchants, would gain by including treasure in our scheme of taxation for River Conservancy. After all, no scheme for such a purpose can be devised which shall include everyone who is directly or indirectly benefited by the work. The best that can be said of any tax is not that it inflicts no hardship in special cases, but that it should be incident upon and benefit the greatest number, or the greatest interest, and there can be no question that the trade of Shanghai includes more both in number and value than any other interest involved. It is the backbone of Shanghai. If our port becomes inaccessible, ships and steamers must cease to call here as they do to-day; if our trade deserts us, there will be no movement of bullion, and the rent-rolls of our property holders will disappear like the ships. Gentlemen, in finally proposing the resolution as already read, I have only to say that we do not offer our plan as one without objection, but as one which is at least practical, and which has already received in principle the approval of the Ministers at Peking and of the Consular Body here, and I most earnestly beg of you to think of all that is implied in its rejection or acceptance.

Mr. R. W. LITTLE—Mr. Chairman and Gentlemen,—I have been asked by the last speaker to second the resolution which he has so ably proposed to you, and I very gladly accept the task, because I am very strongly of the opinion that what the Committee of the Chamber of Commerce propose, has to be done, and that this is the most practical way of doing it. That the thing is to be done, hardly requires any argument. In fact, it is a matter that has been before us for many years: it is a subject which has been dealt with in the Chamber of Commerce reports, in leading articles, and in Consular reports year after year, and there can be no one here who does not see and acknowledge the absolute necessity of dredging the bar and conserving the river. For my part, I regard the conservancy of the river as more important than dredging the bar. I believe the Customs have only made calculations for seven or eight years, but until last year there was but a slight annual difference in the water on the bar. The quantity has risen or fallen according to the water in the Yangtsze. The amount of water in the Yangtsze last year was less than usual, and the depth of water on the bar was consequently about two feet less than in the previous year, but it is quite possible that these two feet may be recovered if we have a full Yangtsze this year. I see a great many people here who can remember what the river was eighteen or twenty years ago, and there are one or two present whose memories will carry them even further back than that. But there is no one here present who has even been a short time in Shanghai who does not know that the river is deteriorating month by month, and, indeed, I may say almost week by week, but to the residents, whose memories carry them back for many years, the great changes that have taken place in the river are more apparent. We pride ourselves on the beauty of our new esplanade. Unfortunately, however, it is a beauty that must be looked upon as not a beauty of health, but, if I may be allowed to use the analogy, the hectic flush of consumption, for it shows that while we are beautifying our Bund we are losing our river. I have strong doubts whether

what we have done to beautify our Bund has not had something to do with making the river worse for our interests than it otherwise would have been. To some extent we, as foreigners, are responsible for the condition of the river in front of the Settlements, for when we go up beyond the junks, we find that there has been much less change in the river there than there has been opposite the Settlements. I therefore think it is of the greatest importance that we should have a Conservancy Board to prevent the river being impaired more than it is now, and as far as possible to repair the injuries already suffered and to adopt remedial measures for the future. The changes that have taken place in the river during the last sixteen or seventeen years are enormous. Twenty years ago, as some of you will remember, what is known now as the Middle Ground, and which is now a considerable island, was then under water, or flush with the water at high tide, whilst the Upper Middle Ground, on which I noticed last Sunday a steamer ashore which has been running in and out of Shanghai for many years, did not then exist at all; and there is now a bank forming at Yangtzepoo actually within the limits of the harbour, and large steamers now experience difficulty in anchoring and swinging to the tide. The Pootung Point and the Public Garden are the growth of the last twenty years, for there are some here present who will remember when the river came up to the present railings of Messrs. Siemssen & Co. and the Comptoir d'Escompte de Paris. Twenty years ago the river actually came up to these hongs; you can see where it is now, and all this deterioration is continuous and will continue. There is no power here, at least no power within my knowledge, that can prevent anyone adding to the length of the jetties as much as he likes or impeding the navigation of the river in any way. I have heard from opponents of this scheme that it only matters to property owners whether this river is preserved or not; that the trade now done in Shanghai can be done at Woosung, Chinkiang, or some other place, and I think the Inspector-General of Customs once went so far as to say that Shanghai must eventually be shut up and the trade removed to Chinkiang. Now, even to imagine that the trade of this port can be removed to Chinkiang, seems to me, not to use a stronger term, absurd; at least the suggestion reminds one of the remark of the French geographer to the effect that Providence has acted very kindly by putting rivers by the side of large cities, and the people who think that the trade of Shanghai can be so easily removed, fancy that trade came here with the advent of foreigners, whereas Shanghai was opened as a port to foreigners because it was a large centre of trade before they came, and they came here because it was so. The position of Shanghai is a fortunate one; it is such that it receives the silk traffic from the interior, while at the same time it is a handy port of call for steamers from the south going to the north, or for steamers running from the south to Japan, whereas Chinkiang exists merely by river traffic and offers none of these advantages. It is unnecessary, therefore, to dilate on the necessity of conserving the River Whangpoo. We have, as the mover of the resolution said, had hopes at various times from the Chinese that they would do the work themselves, but nothing has been done. In the hope that something might be done I may mention that a small organisation, with which I am myself connected, I mean the Shanghai Tug-Boat Association, wrote a short time ago to the Commissioner of Customs asking to be allowed to attempt to lower the bar by dragging a large rake over it, as was suggested, I believe, some years ago. It is a feasible scheme, and I have been told that the Columbia River in Oregon has been very successfully deepened by this means. As I have said, it was months ago we wrote asking permission of the authorities to make the experiment, for the purpose of basing an estimate for dredging the bar, but I am sorry to say it was only the other day we received an answer to our letter couched in these terms :—

CUSTOM HOUSE,
Shanghai, 30th March, 1880.

GENTLEMEN,—In reply to your letter of this day's date, referring to a previous one on the subject of raking the Woosung Bar, I have to inform you that the Chinese Government has taken up a certain position in this matter, and that under the circumstances your application cannot be entertained.

I am, Gentlemen,
Your obedient servant,
(Signed) JAMES H. HART,
Commissioner of Customs.

To Messrs. MORRIS & Co.,
Agents, Shanghai Tug-Boat Association.

That of course stopped our little scheme and it is one of the reasons why it is necessary to pass this resolution. That the bar ought to be dredged cannot be denied by any civilised person; that the bar may be dredged is quite obvious to anyone who is acquainted with similar works in other parts of the world. The answer we have had hitherto to our representations to the authorities in Peking is that the money collected in tonnage dues is all spent on lighthouses and buoys, and that there were no funds left for the work of dredging the bar. We are now prepared to come forward with the money in our hands and say "We must have the bar attended to; the bar must be dredged at once. Here is the money for it to be done with, and all that we ask is to be represented on the Board which is to spend the money." Next, as to the possibility of taxing the shipping. The Foreign Ministers at Peking have told us it is impossible to tax the shipping directly. It has been observed that freights are now as low as they possibly can be, and that the removal of the Woosung Bar would make no difference in this respect. Freights may be low, but it is reasonable to suppose that if the steamers had not to incur the present extraordinary expenses at the bar, that they might be lower. We must remember that if a shipowner is doubtful as to whether he will send a steamer to Shanghai, that surely a sum of money amounting to Tls. 500 or Tls. 600 in possible lighterage at the Woosung Bar must enter into his calculations. If the bar were done away with, this expense would be avoided, and it is reasonable to conclude that we should get more competition, and consequently lower freights than we get at the present time. The mover of the resolution referred to the question of taxing property owners, and I may add to what he has said one point which so far as I know he did not mention in his speech, and that is that our municipal taxes are only voted year by year, and it would be difficult to carry on a scheme like this from the source of revenue obtained in that way. Moreover, it would be difficult to borrow money on an income of that kind. To the tax we propose, the re-imposition of Wharfage Dues, the chief objection raised was the inequality of its incidence, which will be done away with under the present scheme of Conservancy Dues recognised by the Customs and by the community, and there is no doubt sufficient money could be raised for all the purposes contemplated. (Applause.)

Mr. G. J. MORRISON—I do not know whether it is possible for me to say a few words on the motion before the meeting. I should like to do so, though possibly in strictness I am not one of the "mercantile community" of Shanghai, but I am a member of the community of Shanghai which has been described as mercantile, and although I should not feel justified in voting, I do not think there can be any objection to my saying what I wish to say. First, as to the scheme of the promoters. I think it is a pity that before putting the matter into its present shape, the promoters did not obtain and publish some definite statements regarding the present and past state

of the river. Indeed, the best description of the river that we have yet had was in the speech of Mr. Robert Little. With the first part of this very able speech I entirely concur, but as in the second part he gave a definition of a civilised person which would exclude myself, I can hardly agree with that portion. The Committee lately published some statements regarding the delay of steamers at Woosung. On the 1st June last, the *Achilles* was delayed, yet on that day I find the depth of water on the bar at low water was 13 feet. On reference to the *N.-C. Herald* of 5th February 1852, Ifind that a correspondent states that there was only 12 feet of water on the bar. I consequently think the first of June was not a good day to bring forward as one on which the depth of water on the bar was less than formerly. On the 6th June the *Antenor* was delayed. On that day it is true the depth at low water was only 11 feet 4 inches, but the depth at high water was 21 feet 8 inches. I do not think a day on which there was a depth of 21 feet 8 inches can be brought forward as an example of a day on which there was less than the usual amount of water on the bar. On some of the days referred to in the list the depth of water was small, but the great objection I have to the table is that it speaks of the delay to steamers and not to depth of water. To say that a steamer has been detained no doubt indicates that some one has suffered annoyance or loss, but gives no proof that the river is changing. Sir, if the Chinese, in answer to this proposition, were to say that the difficulties arose, not from decreasing depth of water, but from increasing draught of steamers, I do not say they would be right, I do not think they would be right, but they would have some ground for their assertion, and the promoters of this scheme could not controvert it by reference to a single fact among their published statements. I think it is a grave blot on the scheme that it leaves the door open to such a contention on their side. And now, Sir, I should like to say a word or two on the present state of the river and on the danger which I believe threatens us. In a letter to the *N.-C. Daily News* lately I gave some figures shewing the average depth of water on the bar for a series of years. These figures proved (so far as incomplete and approximate returns could prove anything) that there had been no steady decrease of depth of late years; for the five years ending 1877 there was a decrease of five inches but for the six years ending 1878 there was an increase of 11 inches. In 1879 however there was a very marked decrease in depth, more than could be accounted for by exceptionally low tides. The improbability that the mouth of the river is now silting up at that rate, or at anything like that rate, is only exceeded by the improbability of our being able to cope with such a phenomenon if it were to occur, but a change of channel is not only possible, but is almost certain to take place at some period. It is not improbable that the decrease of depth on the bar in 1879 was an indication of, or a result of, an improvement in the junk channel. I myself was professionally employed on one river where a channel which had nine feet of water at low water silted up to a total height of 35 feet, while another channel which was dry at low water, scoured to a depth of 8 or 9 feet, all in the space of less than four years, all the silt being brought by the tide. The river to which I refer was the Avon, a much smaller river than the Whangpoo, but one which resembles it in many ways. It brings down, comparatively speaking, very little silt. It discharges into the estuary of the Severn, the water of which is loaded with silt, and exactly resembles the water of the Yangtsze, and when I first knew the river it was divided into two channels near the mouth by a small island, the right hand channel going down stream being the deepest. We had applied to Parliament for power among other things to shut up the deep channel and open the shallow one. Power to close the deep channel was refused, but power to open the shallow one was granted. Financial difficulties delayed the other works which had to be completed first, and before we touched this particular work the change I have referred to took place and nature did for us all that we wanted without our spending one single farthing. The very high tides of the Severn, viz., 40 feet at ordinary springs, made it possible for vessels to use the shallow channel from the first, but if a similar change takes place here and the river is allowed to take its own time about it, the Settlement may be ruined during the time we have two bad channels instead of one good one. The change may take place quickly, but it may take place slowly, and the river may even waver in uncertainty for a time; and I look upon this slow change as the danger to be guarded against. It may, however, be the case that there are great changes going on in the Yangtsze. Such changes as I have talked of as possible in the Whangpoo at Gough Island are possible in the Yangtsze at Tsung Ming, and changes may be taking place between the mouth of the Whangpoo and the sea, but I have no information on these points sufficient to justify me in giving any opinion, and indeed I have no wish to insist on my own opinion at all. I know full well that at the present juncture it would be absurd to insist upon any opinion; it must command respect or it is worthless, but I do urge upon the promoters, as strongly as I can, the propriety of obtaining such an opinion, believing that the want of it leaves their proposal in a condition that would not obtain for a similar scheme even the serious consideration of any government in Europe. I think it should have been obtained before, but even now if favourable it will greatly strengthen their hands if there is any chance of success, and will give them something to fall back upon in case of defeat. In the report of the Dutch engineers there is one important paragraph to the effect that at the date of their examination of the bar the mouth of the river was, as a whole, better than it had been at any former time of which they had any notes, and that consequently it could be improved without dredging. From the way in which the matter is treated, itis evident that this report has not received the consideration to which it is fairly entitled, though it has been termed by the Chairman an elaborate report. One effect of obtaining such an opinion as I have spoken of might be to put some limit to the amusing, or may I be excused if I say painful, extent to which the word dredging is used, as if it was synonymous with improvement or conservation. Sir, it is with no wish to injure the scheme or obstruct the promoters that I make these remarks. I am fully as much impressed as they can be with the necessity of action, but I have seen a little, I may say I have seen a good deal, of the getting up of schemes, good, bad and indifferent, and I never saw a good scheme suffer from being criticised or even mercilessly pulled to pieces at the outset by the friends of the promoters; but I have seen many a good scheme come to grief through its promoters taking for granted that it was perfect, and that the arguments in its favour were unanswerable. I can hardly believe that after due consideration anyone present will assert that the scheme stands on any firm foundation until its promoters have taken means to satisfy themselves that the improvements and conservation of the river are physically and financially within their grasp. Sir, it is a principle acted on in England that those interested in any scheme will always voluntarily advance the funds necessary for preliminary investigations, and I doubt not the principle is a sound one. If the scheme be carried out, repayment of the preliminary expenses becomes a first charge on the receipts as a matter of course. Sir, the amendment I have to propose is, that the following words be added to the resolution after the word "represented." "Provided that a trustworthy professional opinion be first obtained by the Chamber of Commerce to the effect that the conservancy of the river approaches to Shanghai would be physically and financially within the powers of such a board." I hardly expect that the amendment which I propose will be carried, but I have attained the object I had in view in putting my views before the meeting. I believe that if the merchants here present were going into any commercial speculation, with the details of which they are much better acquainted than they can possibly be with the matter now under discussion, they would not subscribe their money until they had good reason to believe that the objects they had in view were within their grasp; and I believe that before long many of the remarks I have made will be found

to be pertinent to the question. Sir, I beg to propose as an amendment that the following words be inserted in the resolution after the word "represented"—

Provided that a trustworthy professional opinion be first obtained by the Chamber of Commerce to the effect that the Conservation of the River approaches to Shanghai would be physically and financially within the powers of such a board.

The CHAIRMAN pointed out that as Mr. Morrison was not a merchant he doubted whether it was competent for him to move an amendment.

Mr. MORRISON did not think it was of much consequence whether the amendment was put to the meeting or not. He knew a little about the feeling of the community on the subject, and he must admit that if the amendment was put to the vote, he did not think it would be carried. He did not feel very strongly on the subject, but he should be glad if any gentleman would second it, or, if it was incompetent for him to propose it, perhaps some other gentleman present might think fit to do so, but he did not think anyone would. He had expressed his opinion on the matter, and he therefore did not care much whether the amendment was put to the meeting or not.

The amendment was not seconded.

Mr. H. S. BIDWELL—The proposal to dredge, or take away, or open a channel through the Woosung Bar is undoubtedly good and worthy of every support, but the question is, who is to pay for it, and should foreign merchants be taxed for the peculiarities of the Chinese Government or those who represent them? I quite agree with many of Mr. Morrison's remarks, which are generally correct, but will Mr. Morrison kindly explain to this meeting the cause of the Woosung Bar, and to what fault in nature the Woosung Bar actually owes its existence?

Mr. FORBES said with regard to Mr. Morrison's remarks and his amendment, which, however, was not before the meeting at present, he thought he (Mr. Morrison) was under a misapprehension as to the meaning or purport of the resolution. Mr. Morrison's remarks had been almost entirely devoted to a criticism of the means of conserving the river—whether the bar should be dredged, raked, or left alone, or another channel made; but the means whereby the bar was to be removed were not at present under consideration. Schemes with that object in view had been asked for by the Chinese authorities and given, and we had been met by the reply that there were no funds. The proposal was to provide funds, and if the revenue could be raised by such a tax as the one they proposed, they were perfectly confident that persons would be found to suggest how the river could be conserved. The authorities, he repeated, had asked them for scientific opinions, which were furnished, but the answer had always been, "No funds!" Now they simply proposed to meet that answer by showing how the funds could be raised. (Applause.)

Mr. KINGSMILL rose with some degree of diffidence to address the meeting. First, because he was not technically a member of the mercantile community; and, secondly, because the amendment proposed by Mr. Morrison, to which he proposed to speak, was not before the meeting. The Chairman had, however, by his remarks relieved him from the latter disability, and with regard to the former, though not actually forming a member of the mercantile section of the community, he was really dependent on it and his interest and its were identical. Mr. Morrison had told them that there was no serious deterioration, because the depth of the water on the bar had only decreased within certain somewhat small limits. There was, however, a far more serious cause at work to which he had not alluded. It might be true that the depth of water now was not much less than it was eighteen or twenty years ago, but there were other ways in which the deterioration had taken place, and that to a very serious extent. He had himself had a long and considerable experience of the bar since the time the river was opened to Hankow, and within his knowledge it was not till comparatively recent years that detention of river steamers had taken force. When first he travelled on the river, local steamers were in the habit of crossing at all states of the tide, and it was not till about seven years ago that they found it necessary to cast anchor and wait for the tide before proceeding with their voyage. The same steamers, which at one time could readily pass, had by degrees found the water more and more shallow, and, though the growth had been gradual, he believed it true nevertheless that it was decided and continuous. Last autumn he had occasion to go down to Woosung, and there he found no less than five steamers of various sizes detained for want of water. More than this, the steamer *Tunsin*, which had for years been in the habit of crossing the bar at all states of the tide without fears of detention, had found it necessary to cast anchor; and this in his mind was a proof that however exceptional might have been the momentary decrease of depth it was only the result of a gradual up-growth during many years not previously noticed. This, however, was but one part of a wider subject. The sectional area of the water channel had certainly been considerably reduced of late years, and this was a fact which could not be denied, and the admission of which led to grave fears as to the future of the navigation. His own experience of the upper reaches of the river was of some seventeen years growth, and was founded on actual surveys of the foreshores dating back to that period. If the meeting would look to the opposite shore at Pootung, they would find that very considerable encroachments had taken place, and the same might be said of the entire frontage of Hongkew, below the C.M. Co.'s Wharf. He had in his possession surveys of Gibb's Wharf, of Dow's Wharf, and of the present Water Works Company's premises, and all these showed a considerable advance which was to be measured in hundreds of feet. It was true that on the opposite Pootung shore the river had encroached on the land, but this was to an extent out of all proportion to the growth of the land opposite. Again, when he first came to Shanghai vessels could lie safely at anchor in the entire of the lower reach between the lower limits and the Half-way point. This was not now the case, and within some seven or eight years serious banks had grown up below the lower limits which rendered the anchoring of vessels with safety impossible. Nor could it be urged that the vessels trading with Shanghai were now larger than in former years. Their draft of water was practically limited by their capacity to pass through the Suez Canal, and he did not think that the steamers which now were detained at Woosung, really drew more water than the old clippers which frequented the port in former days. The gradual constriction of the water-way had the serious effects of diminishing the flow of water which passed the Settlements, and tide after tide the flow was diminishing. In the old days complaints were made of the "chow-chow" water off Pootung Point. He could bear testimony that the effects had much diminished of late, and that the currents were now very inferior in velocity to those which formerly were met with. This fact alone was of great and serious importance. Those who were acquainted with the action of tidal waters knew what a diminution in the body of water running with the tide would eventually lead to, and it became a matter of most serious moment when the water so passing was surcharged with sediment as that of the Whangpo. Fortunately the hydraulics of rivers flowing through alluvial plains were well understood, and the laws were of a simple nature. The natural tendency of a flowing river was to preserve the same sectional area; if it spread out over a wide expanse, the width was compensated for by a shallowing of the bed, and if on the contrary the channel became constricted the depth increased. The occurrence

of sudden bends and constrictions all of which tended to diminish by friction the velocity of the stream was of the most importance. All these deteriorating causes were in existence in Shanghai, sudden bends and constrictions reduced the body of the water on the ebb and flow, and the consequence was a reduced channel which still further re-acted on the sectional area. It was for them a fortunate circumstance that they could point to at least two cases where it had been found practicable to apply simple yet effectual remedies. The Sulina mouth of the Danube and the South East passage of the Mississippi were not unlike in many respects the case of the Whangpu. Both of these had been successfully operated on, and the measures taken had proved thoroughly effectual. He thought that a previous speaker, Mr. Little, had spoken too decidedly of the necessity of dredging, and Mr. Morrison had sought to fasten a scheme on the meeting in consequence. It was well to remember that dredging in both these cases formed but a small part of the works undertaken. The fact that it had been found possible to improve the navigation in both these instances was sufficient evidence that the case of the Whangpo was remediable, and that the meeting in deciding to ask for a Conservancy Board was taking a practicable step. What the measures were that it would be advisable to take it was not necessary to discuss. It was sufficient that the meeting should be assured that the object aimed at was not impracticable, and that it could be carried out within the limits of the expenditure possibly for them to undertake ; that assurance he had no hesitation in giving. He was glad that the Committee of the Chamber of Commerce had not come before them to suggest details and pin their faith to any system. No engineer of eminence would find any difficulty in training the water of a river like this in such a way that a good navigable channel could be secured the whole way. He might add that there were many ways in which the required end could be attained ; he therefore congratulated the gentlemen, at whose request this meeting had been called, that they had not come encumbered with a definite plan. In merely suggesting the appointment of a Board of Conservancy they did not risk the failure of any scheme, and he thought such a Board would be able to effectually grapple with the requirements of the case.

The CHAIRMAN said if no other gentlemen had any remarks to make he would put the motion to the meeting.

Mr. NATHAN said that on behalf of the opium merchants in Shanghai he had been asked to say a few words, inasmuch as they did not consider the Woosung Bar or the proposed Conservancy Dues had anything to do with them. They would not benefit by the removal of the Woosung Bar in the least. It made no difference to them whether they sold opium here or at Woosung. As a matter of fact, if Shanghai was closed up, they could go to Chinkiang and do as good trade there as they were doing in Shanghai, or they could remove the receiving hulks to Woosung and go and live down there ; or they could go and live at Gutzlaff. (Laughter.) Either at Chinkiang, Woosung, or Gutzlaff, they would do as much trade as they were doing now. Opium was not consumed in Shanghai ; it went to other places, and therefore the opium merchants would derive no benefit from the dues that were to be paid. They could carry on their business just as easily if Shanghai was closed. Those who were to derive the advantage were the persons who ought to pay for the removal of the Woosung Bar, and not those, like the opium merchants, who would derive no benefit at all. Say for instance 60,000 chests of opium came to Shanghai, the opium merchants would have to pay Tls. 30,000, and they would derive no benefit. He therefore begged to propose that the motion be not accepted.

The CHAIRMAN—Gentlemen, the most important points in reference to the motion and memorial have been laid before you by Mr. Forbes, so that I need not say anything further. Mr. Forbes also at the last annual meeting of the Chamber of Commerce went fully into the history which this affair has had, and he then showed that for a very long time the representatives of the mercantile community have been endeavouring to get this serious obstacle of the Woosung Bar removed, but without success. The present measure, as proposed by the Chamber of Commerce, is certainly in my opinion a most practical one to get out of the chief difficulty, that is, to provide for the necessary funds. I may state on behalf of my colleagues that we have had the scheme of the Chamber of Commerce under consideration, and that we have given our support to the same. Putting now the motion before you, for approval or rejection, I leave it to you whether you will refuse to make a small sacrifice for the welfare and prosperity of the community and port of Shanghai. (Applause). I will now merely repeat what I said in opening the meeting, that I request only merchants to vote, and any mercantile firm can only be represented by one of its members. With this restriction I request you to show your consent or dissent to the motion.

The motion was then formally submitted to the meeting, and the Chairman declared it to be carried. There were over a dozen dissentients.

Mr. FORBES then proposed a hearty vote of thanks to Dr. Focke for presiding, and to his colleagues for their attendance at the meeting.

Mr. E. H. LAVERS seconded the motion, which was carried with acclamation.

The proceedings then terminated.

J. H. FOCKE, JR.,
Chairman of the Meeting.

GEO. R. CORNER,
Secretary.

Despatch No. 710.
Enclosure 3.

SHANGHAI, 5th *April*, 1880.

TO THEIR EXCELLENCIES

THE MINISTERS OF THE TREATY POWERS IN CHINA.

MAY IT PLEASE YOUR EXCELLENCIES,

We, the undersigned Merchants of Shanghai of different nationalities, beg to draw your attention to the increasing obstructions to the Navigation of the Wang-poo River, the main waterway between Shanghai and the Sea. The subject has already been so often brought to your notice during past years, that it does not seem necessary to recapitulate in detail the growing encroachments of Bars and shoals on the navigable channel of the River, by which the commercial prosperity of this port is seriously threatened. It may be enough for us to refer to the facts, as presented in the correspondence forwarded last Autumn to Your Excellencies by the Shanghai General Chamber of Commerce.

The general question of the conservancy of the Wang-poo River is undoubtedly one of much complication, and it can only be approached by persons of special scientific knowledge, aided by numerous and systematic observations; but there is no reason to suppose that the dredging and maintenance of a navigable channel across the Woosung Bar, and an immediate improvement of the harbour of Shanghai, cannot be accomplished by the same means which have proved successful elsewhere, and at an expenditure which can be calculated in advance with sufficient accuracy.

We have been led to believe by the unsatisfactory results of repeated applications, that all attempts to persuade the Chinese authorities to dredge the Bar will be unavailing, and that no regard for the important revenue derived from the trade of this port is likely to induce them to do more than they are compelled to do by treaty stipulations, none of which directly provide for the removal of obstructions to navigation. The evils complained of are however so great, that prompt action to avert them is urgently demanded, and as we understand that one, if not the principal objection of the Chinese Government, is the want of money for the purpose, we are induced to propose means by which the necessary funds may be raised without trenching on existing revenues.

The gradual closing of this port unfortunately menaces not only our interests as merchants, but those of property holders in our Settlements, and of the owners of the great fleet of Steamers and Ships that trade in these waters. We feel that, in strict justice, any scheme of taxation for the improvement of our River approaches should include every one interested in the fortunes of the port, and we have no reason to suppose that property holders and shipowners would be averse to an arrangement by which they might contribute their fair proportion. We are aware that there are difficulties in the way of reaching these two classes, but we would beg of Your Excellencies to consider whether these difficulties may not in some manner be overcome. In the mean time, however, it seems to us evident that trade, for which Shanghai was first opened to foreigners, and which is the main source of her future prosperity, offers the widest and best area over which to distribute taxation for River conservancy. The aggregate annual value of this trade as shown by the Customs Returns for the six years 1873 to 1878 inclusive, has averaged Taels 125,000,000 Shanghai Sycee, and under present circumstances the most practical form of raising the requisite funds would seem to be by dues on the whole trade, based on a percentage which long experience has proved not to be onerous, and levied like the tariff duties in a way which would cause the least possible trouble and expense.

We propose in short that special conventions be made with China by which River conservancy Dues of one-tenth of one per cent ad valorem shall be imposed on all merchandise, whether foreign or native owned, passed through the Imperial Maritime Customs of this port on the first entry of the goods, but not leviable in case of re-export from Shanghai. It should be expressly stipulated that the funds so raised should be wholly and exclusively expended, first in keeping open a navigable channel across the Woosung Bar, and afterwards in the general improvement of the river and port. To ensure this, we believe it to be indispensable that the works should be supervised and controlled by an essentially foreign Board of conservancy on which the Chinese authories should be adequately represented by the Commissioner of Customs or others, as may be decided by the High Contracting Parties. It would also seem advisable that the Members of this Board should be invested by the Central Government with powers to execute the works necessary for river and harbour conservancy

within certain limits, and that they should be able to dispose of the Dues not only for current expenditure, but even to pledge them as security for public loans, should an immediate outlay be required equal to the estimated income of several years.

According to the figures already quoted, the amount of such dues would be about Tls. 125,000 Sh. Sycee per annum, and they would grow with the natural expansion of the trade. As the records of the Chamber of Commerce contain a tender made some years ago to dredge a channel across the Bar of sufficient breadth and depth for $107,000 or Tls. 80,000, dredgers being provided, it is probable, not only that the dues would yield ample funds for dredging the Bar, but that there would be an annually increasing surplus applicable to such other works in the river and harbour as might be recommended by the Engineers in charge.

The best proof which we can offer to Your Excellencies of the importance which we attach to the immediate execution of the works in question is, that we ask to have the expense defrayed by an extra burden on the trade in which we ourselves are concerned, although that is already sufficiently hampered by direct and indirect taxation. We are glad to know, through the Chamber of Commerce, that Your Excellencies have already been pleased to approve in principle of the arrangement proposed, and we trust that on your recommendation, early steps may be taken to negotiate the necessary conventions with China.

We have the honour to be,

Your Excellencies obedient Servants,

(Signed) F. B. FORBES,
Chairman of the Shanghai General Chamber of Commerce.

„ E. H. LAVERS,
Vice Chairman General Chamber of Commerce.

The Committee of the Chamber.

„ W. HOWIE,
„ J. BELL-IRVING,
„ A. McLEOD,
„ P. G. HÜBBE,
„ JOHN G. PURDON,
„ CHAS. LYALL GRANT,
„ J. F. HOLLIDAY,

„ GIBB, LIVINGSTON & Co.
„ SIEMSSEN & Co.
„ ADAMSON, BELL & Co.
„ HOLLIDAY, WISE & Co.
„ TURNBULL, HOWIE & Co.
„ IVESON & Co.
„ RUSSELL & Co.
„ FORRESTER, LAVERS & Co.
„ FEARON, LOW & Co.
„ D. GILMOUR & Co.
„ *pp.* DRYSDALE, RINGER & Co.
G. LINDSAY.
„ ALFRED DENT & Co.
„ FRAZAR & Co.
„ LITTLE & Co.
„ RODEWALD & Co.
„ WILKINSON & Co.
„ REID, EVANS & Co.
„ JARDINE, MATHESON & Co.
„ VOGEL & Co.

(Signed) ARNHOLD, KARBERG & Co.
„ ROBT. ANDERSON & Co.
„ CHAPMAN, KING & Co.
„ WISNER & Co.
„ *ppro.* LUCAS & Co.
S. WALKER.
„ PRIMROSE & Co.
„ W. BIRT & Co.
„ BLAIN & Co.
„ GEO. BARNET & Co.
„ BRAND BROS. & Co.
„ CHALMERS MACKINTOSH & Co.
„ *ppro.* HARRIS GOODWIN & Co.
T. HAROLD VALE.
„ A. STEINMETZ.
„ *ppro.* CARLOWITZ & Co.
A. KRAUSS.
„ TURNER & Co.
„ J. LOVE & Co.
„ P. MACLEAN & Co.
„ R. D. McKIE.
„ BUTTERFIELD & SWIRE.
„ H. FOGG & Co.,
CHINA & JAPAN TRADING COMPANY LIMITED.
F. E. HASKELL, *Agent.*
„ MELCHERS & Co.
„ ERNEST TAUMEYER.
„ *ppro.* SIEBER WASER,
F. KELLER.
„ CUMINE & Co.
„ MAITLAND & Co.

SHANGHAI GENERAL CHAMBER OF COMMERCE,

Shanghai, 21st May, 1880.

To HIS EXCELLENCY,

SIR THOS. FRAS. WADE, K. C. B.

H. M. Envoy Extraordinary and Minister Plenipotentiary

Doyen of the Diplomatic Body,

PEKING.

SIR,

Referring to the correspondence which has passed between Your Excellency as Doyen of the Diplomatic Body and this Chamber, on the subject of providing funds for the Conservation of the Whang-poo River, I have now the honour to inform you that acting upon your letter of 3rd December 1879 to Mr. DAVENPORT H. M. Consul at this Port, the Committee submitted the scheme with the alterations suggested by Your Excellency in the same letter, to the Consular Body, whose approval it at once received.

The Chamber at its Annual Meeting having ratified the action of the Committee without a dissentient voice, a public meeting of the Mercantile community was thereupon convened by Dr. FOCKE the Senior Consul, at the request of the Committee, at which a Resolution was passed that a Memorial embodying the scheme should be prepared and forwarded to the Diplomatic representatives of foreign powers in China.

The memorial which I have now the honour to enclose has been signed by forty five mercantile firms who represent a large proportion of the Import and Export trade of Shanghai, but it is to be regretted that conflicting interests have prevented the Opium Merchants and the houses exclusively engaged in the Silk trade with France, from adding their signatures. The number of Memorialists might have been increased by the names of Bankers and Insurance Companies, but as neither of these classes will be affected by the proposed system of taxation, it was considered better to confine the expression of opinion to those more directly interested.

The main arguments by which those who have withheld their signatures seem to have been influenced are, that the expense of River conservancy should be met out of existing Chinese revenues, or that if any new taxes are to be levied for the purpose, they should be imposed not upon trade in merchandise alone, but upon all the important interests which would gain by an improvement of the River approaches.

Even among many who have signed the Memorial, there is a strong feeling that the owners of ships trading to Shanghai, and the landed interests of the Port, should if possible be made to contribute their share of taxation. The proposal of the Chamber has been supported, not because the memorialists fail to appreciate the objections urged against it, but because any more wide-reaching scheme of taxation would involve complications which might lead to an indefinite postponement of the work, and which it would be unwise to hazard.

The Committee will be glad to learn that this memorial meets with the favorable consideration of Your Excellency and Your Colleagues, and they trust that the efforts of your respective governments may at no distant date be directed to the satisfactory solution of a question on which the future prosperity of Shanghai in great measure depends.

I have the honour to be,

Your Excellency's obedient Servant,

(Signed) F. B. FORBES,

Chairman.

No. 711.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

Legation of the United States.

Peking, June 29th, 1880

George F. Seward to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions, numbers 368. to 375. inclusive, and one separate, dated April 30th, received.

No. 711.

Legation of the United States.

Peking, June 29th, 1880.

Honorable William M. Evarts,

Secretary of State.

Sir:-

I have had the honor to receive your instructions numbered respectively 368. 369. 370. 371. 372. 373. 374. and 375., and also your separate instruction, dated April 30th, and asking for information regarding the amount of gold and silver coin and bullion and paper currency in this Empire.

I have the honor to be,

Sir, Your obedient servant.

Geo. F. Seward

Orn. & Library

Mr Adee

No. 712.

Legation of the United States.

Peking, June 29th 1880.

George F. Seward to the Secretary of State.

Subject.

Customs Trade Report for 1879.

Synopsis.

Forwards two copies under separate cover.

No. 712.

Legation of the United States.

Peking, June 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to transmit to you herewith, under separate cover, two copies of "Returns of Trade at the Treaty Ports for the year "1879.", being "Part II." and containing the statistics of the trade at each port, as compiled by order of the Inspector General of Customs.

I have the honor to be,

Sir,

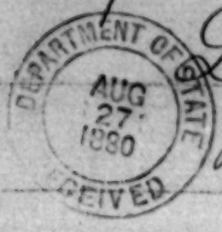
Your obedient servant.

Geo. F. Seward

Approved
aug 30. 1880
M. Adee

Approved by
M. Adee

No. 713. Two Enclosures.



Legation of the United States.
Peking, June 29th, 1880.

George F. Seward to
the Secretary of State.

Subject.

Assault upon Mr. Sites at Jenping.

Synopsis.

Forwards copies of despatches which have been addressed to Hsu. 4 hle Lang and Prince Kung.

No. 713. Two Enclosures.

Legation of the United States.

Peking, June 29th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to my several despatches upon the assault made upon Mr. Sites at Gen Ping fu in the province of Fukien, and more particularly to Mr. Le Gendre's despatch to me, number 169. which forms enclosure 2. of my number 708. to the Department, I have the honor to hand to you, herewith a copy of a further letter which I have

No. 713.

have addressed to Hon. Mr. McLane in the premises.

Upon a reperusal of his later correspondence with the Viceroy, there seemed to be serious danger that he would accuse the official named a spirit of antagonism, and so lose the benefit of his cooperation in the effort to secure justice to our people. I have therefore called Hon. Mr. McLane's attention to this danger, and advised him to use his best efforts to avoid controversy.

2/713. I have also addressed Prince Kung, calling his attention to the extremely unsatisfactory manner in which the

the business is being dealt with, and asking him to send specific instructions upon certain points named, to the Fukien Authorities.

I respectfully ask your approval of my action as herein indicated.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Mr. Seward to Mr. Hle Lano. No. 130. June 21st, 1880.
2. Mr. Seward to Prince Kung. 50/1880. June 21st, 1880.

Despatch No. 713.
Enclosure 1.

Mr. Seward to Mr. De Lano.
No. 130. June 21st, 1880.

Sir:-

Upon a reperusal of your despatch No. 169. it seems to me desirable to express the hope that you will use your best efforts to avoid a controversy with the Viceroy in regard to Mr. Sites case. Your letter to him of the 29th of May tends in that direction, and moreover betrays a prejudgment of the facts which cannot but open you to criticism.

While I think it necessary to write to you in this way you will believe that I understand thoroughly how aggravating has been the course pursued by the Chinese authorities. They cannot be defended as I believe and yet this will not justify a lack of patience and of courtesy on your part. You cannot drive the Viceroy and if you make him angry your case will be well nigh hopeless.

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I shall send this later correspondence to the Tsung-li-Yamen, and point out that it is idle to expect that we can be satisfied with the arrest of two only out of the whole body of rioters, or that we can assent to a trial at which we shall not be permitted to present our evidence.

If the evidence adduced against the given Chinese will not, in your opinion, justify their conviction, it will be entirely in order for you to write to the Viceroy stating carefully and calmly your reasons for dissatisfaction with the judgment.

I inclose a copy of my letter to the Prince.

I am, Sir, etc,

(signed) George F. Seward.

Despatch No. 713.
Enclosure 2.

Mr. Seward to Prince Kung.
50/1880. June 21st, 1880.

Y. I. H.

I have the honor to hand to you further letters which have passed between the Consul at Foochow and the Viceroy in regard to the Yen Ping difficulties.

I beg leave to ask you to instruct the Viceroy that as the assault upon Mr. Sites was made by a large number of persons it is idle to expect that we can be satisfied with the production of two of the offenders only.

I beg leave to ask you further to instruct him that the trial should be conducted in open Court in presence of the Consul, that he shall be accorded an honorable position in Court and the privilege of producing witnesses and of cross examining those produced by your own people.

I beg leave to ask further that the man reported to have been wounded

(by

by Mr. Sites shall be sent to the Consulate to make his statement before the Consul. Upon this information the Consul will arraign Mr. Sites and hear the evidence adduced against him. Your officers may be present, will be accorded an honorable position in Court, and may assist in examining witnesses.

The failure of the Viceroy to deal with this business, now six months old, is calculated to destroy confidence in his good disposition, and to engender controversy. I have instructed the Consul to avoid controversy, but you will see that the facts justify impatience on his part.

I have the honor, etc.

(signed) George F. Seward.

Mr Adee +
Col Morgan

One Enclosure.

DEPARTMENT OF STATE
AUG
27
1880
RECEIVED

Legation of the United States.
Peking, June 30th/4, 1880.

Chester Holcombe to
the Secretary of State.

Subject.

Statement of salary account.

Synopsis.

Forwards the account for the quarter ending this day, recalls attention to the question of exchange and refers to his despatch number 145. of June 7th/4, 1879.

One Enclosure.

Legation of the United States.

Peking, June 30th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to hand to you, herewith, a statement of my account for salary for the quarter ending this day.

A duplicate of this account will be forwarded by the next mail.

In this connection I beg leave to recall your attention to my despatch number 145. of June 7th, 1879., written while in

in charge of the Legation, in regard to the apparent large amount due to the Government as a sum total of gains by exchange upon my drafts for salary since October 1876, but which, as shown in that despatch, is due, to a great extent, to the depreciation in value of the Mexican dollar, in which all our accounts are necessarily rendered.

The account forwarded herewith shows a balance of $791.$\frac{35}{}$ as apparently due to the Government. As I have never drawn my salary except from quarter to quarter as it became due, this very considerable sum represents

represents what would appear to be the accumulated gains by exchange since October 1st 1876. In point of fact, however, it does not represent any such thing, and, if my accounts are adjusted upon a gold basis, a small balance will be due me for loss by exchange. My drafts for the quarter ending to day have netted $1304.11 Mexican, as shown by the vouchers herewith, or $54.11 more than the sum due for salary. But during the same period Mexican dollars have been at a discount of from 9% to 11%. Reducing the outturn of the drafts by the lower percentage named and

and it at once appears that the drafts in question have netted only $1196.43 U.S. gold coin, and that, instead of my being a indebted to the Government in the sum of $54.11 for gain by exchange, the Government is my debtor to the amount of $53.57

I beg leave to request, most respectfully, your early attention to this matter, and your consent to the adjustment of my accounts as indicated in my earlier despatch referred to above. It is, on the one hand, distasteful to me, to be carrying forward from quarter to quarter a sum which appears to be due to the Government, and, on the other

hand

hand, I should object to the payment of this sum to the Treasury, as not being actually due, and as, in so doing, I should be consenting to a practical reduction of my very moderate salary.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

Enclosure.

1. Statement of salary account for quarter ending June 30th, 1880.

No. 714. Two Enclosures.

Legation of the United States.

Peking, June 30th, 1880.

George F. Seward to the Secretary of State.

Subject.

Statement of Salary account.

Synopsis.

Forwards statements of this account for the first and second quarters of the current year.

711

No. 714. Two Enclosures.

Legation of the United States.

Peking, June 30th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, statements of my account for salary for the first and second quarters of the current year. 1/ 2/714.

You will notice that in the former I have passed to the credit of the Government the sum of $65., being the amount received by me as fees for passports issued during 1879, and reported to

to the Department in my despatch number 703.

Duplicates of these statements will be transmitted by the next mail.

I have the honor to be,

Sir,

Your obedient servant.

Enclosures.

1. Salary account for quarter ended March 31st, 1880.
2. Salary account for quarter ending June 30th, 1880.

Not to be published
See Judge Advocate's Rep. of Sept 25. 1880

Mr. Cable

No. 715. Two Enclosures.

Legation of the United States.

Peking, June 30th, 1880.

George F. Seward to the Secretary of State.

Subject.

Kwachow abduction case.

Synopsis.

Forwards report from Mr. Lord of further proceedings. Escape of the prisoner. Calls attention to an assumption of the Consul General, touching the uses to which the jail at Shanghai may be put.

No. 715. Two Enclosures.

Legation of the United States.

Peking, June 30th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to hand to you, herewith a copy of a despatch which I have received from the Consul at Kiukiang reporting his further proceedings in the case of an American named Burnett, who was accused of being concerned in the abduction of a Buddhist nun at Ivenchow. 1/715.

It appears that, upon receipt of my instruction, a copy of

of which forms enclosure 5. of my despatch number 699., Mr. Lord had Burnett brought before him and informed him that a new trial would be had in his case. As some days would necessarily be consumed in securing the attendance of the witnesses all of whom reside at Wenchow & and as Burnett refused to give bail for his appearance when wanted, it became necessary to place him in confinement, and, in default of any prison accommodations at Ningpo, Mr. Lord sent the prisoner to Shanghai under charge of a Marshal with a despatch to Mr. Henny requesting him to lodge him

him in jail until the hearing could be had. Upon reaching Shanghai Burnett refused to obey the Marshal. The latter appealed to the Consul General, but Mr. Henny declined to render him assistance. Under these circumstances Burnett disappeared, and so far as I am aware has not yet been rearrested.

I have advised Mr. Lord 2/7/15 to inform the Wenchow Authorities of the facts in the case and to make such further effort as may be possible to secure the rearrest of Burnett. I have also sent Mr. Holcombe to the Foreign Office to state the case to the Ministers, to express my chagrin at this unexpected

unexpected change in the situation, and to assure them that no effort would be spared to secure Burnett and bring him again to trial. The ministers expressed their satisfaction at these assurances, and their confidence in the good disposition of our officers in the case. They are not likely, however, to lose sight of the case, and, unless Burnett can be secured and the charge against him judicially determined, it may prove a source of annoyance in our future relations with China.

You will remark the assumption of Mr. Henry that the prison at Shanghai, which is

is a general prison for American convicts in China, can only be used for the confinement of persons under sentence, when such are sent from other Consulates. In my opinion this prison is as much open to the use of other Consular Officers, for the confinement of persons awaiting trial, as to that of the Consul-General, and I think it desirable that he should be instructed accordingly.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

Enclosures.

1. Mr. Lord to Mr. Seward
   No. 125. June 7th, 1880.
2. Mr. Seward in response.
   No. 70. June 21st, 1880.

Despatch No. 715.
Enclosure 1.

Mr. Lord to Mr. Seward.
No. 125. June 7th, 1880.

Sir:—

I have to report further on the matter of Burnett, charged with abduction.

On the 19th ulto., the day after my second interview with you at Shanghai, Burnett, in accordance with an order previously sent to him, presented himself at this Consulate. I informed him that you regarded the proceedings against him at Wenchow as irregular, in that the associates had not been qualified as required by law; that for this reason you did not regard the case as properly before you; and so, that it was still in my hands. Under these circumstances, I said, it would be my duty to put him again under arrest, and rehear the case. He was accordingly arrested. His previous bail and security, on his demand, were given up. And

he

he refused to renew them. He said he would go to jail. I of course had neither jail nor jailer, I lodged him temporarily in the police station. But he could not be kept there until arrangements could be made for his trial, for two reasons; — first, the station had no accomodations for such use; — second, the police force was very small, and they were policemen, not jailers. There was a jail, or a small building so called, connected with the English Consulate. I could have had the use of this, but it had no jailer except the Constable of the Consulate, who had no prisoners of their own to look after, and who therefore could not well look after mine. Still I thought of trying to make some arrangement to keep him there, but there seemed so many difficulties in the way. I finally concluded to send him to the jail of our Consulate General at Shanghai, Burnett preferred to go there. I thought that he could

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be kept safely there, and that he could there have all needed accomodations, which it was impossible for him to have here. So I sent a sergeant of police, who acted as my marshal, to convey Burnett under warrant of commitment to the jail at Shanghai, I gave him also a despatch to the Consul General, requesting him to receive and have Burnett lodged there till the hearing could be had. This was on the 21st of May. In the meantime I prepared a despatch for the Taotai at Wenchow informing him of the state of the case, and requesting him to arrange to have the witnesses sent to Ningpo to give evidence at a new hearing. And in order to expedite matters I arranged to send with my despatch my Chinese writer with instructions how to answer inquiries and objections that the Taotai might be inclined to write about, and to save time. These arrangements were all completed and

and my messenger was about to start, when letters reached me from Shanghai, that Burnett, on reaching Shanghai, had refused to obey my marshal, and was at large. The marshal reported the matter to the Consul General; but the Consul General thought that he could render him no assistance; and the Police there would of course render no assistance without authority from him. So the marshal was powerless either to take Burnett to the Consul General or to bring him back to Ningpo.

Judge Denny thought that I was not authorized to send Burnett to Shanghai; and that had Burnett been brought to him, he could not have committed him. But I will here quote that part of his letter to me which refers particularly to these points.

"I have to acknowledge the receipt
"of your despatch No 228, requesting me
"to commit Burnett in the United
"States jail at this Consulate for
trial

"trial. In answer I have to inform
"you that I have no authority under
"the law to commit for trial in
"this jail any person charged with
"a crime committed outside of this
"Consular district. Sec. 4122 of the
"Revised Statutes - 2d edition, provides
"that it shall be used as a prison
"for American convicts in China. -
"Convict means one who has been
"legally tried and convicted of a crime,
"and not one who is charged with a
"crime only. Under these circumstances
"I could not have committed Burnett
"even if he had been delivered to me
"for that purpose; as every person charged
"with a crime is entitled to a speedy
"trial, and as the defendant must at
"all times be present in Court during
"such trial, it was your duty to have
"summoned associates as well as all
"witnesses in the case and proceed at
"once to try the accused. During this
"time the prisoner should have been
"confined at your post, in the event of

his

"his having refused to give bail, "
"You have the right as well as the
"power, there to secure the prisoner
"for trial, and the law neither
"warrants nor justifies you in sending
"him out of the District for confinement
"before he has been tried and convicted."

The opinion here expressed by Mr. Denny, as to the general principles involved, is, I think, in the main correct. But it presumes some circumstances which in this case did not exist, and circumstances, as everybody knows, both in the application of principles and of laws, have more or less to be taken into account.

It is quite true of course that a person arrested on a charge of crime has the right to a speedy trial. But a speedy trial is a trial had as soon as the circumstances of the case will permit. It might be in a few days, or it might require some months. In this case all the witnesses resided

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at another port, between which and this there is no communication oftener than twice a month, there was no probability that they could be got here under a month. In the meantime the accused being unwilling to give bail, must be put and kept in confinement.

It is in point to say that I had the right to keep him confined at this port, but it is hardly so, to say that I had the power, (if by power is meant means) to do it. I had no jail, I had no jailer, I had no means for a service like this. And not only had I no means myself for keeping Burnett in confinement here, but there were none within my reach that, even if I could have used, I should have been justified in using, if I except, as perhaps I should, the jail of the British Consulate. As I have already remarked, I did think of having Burnett kept there; but

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I did not see how it could be done without putting the British Consul to the trouble of running his jail, for the time being, exclusively for our convenience. And this I did not like to do when there was a jail of our own at Shanghai, to which the accused could be easily sent, and where he could be more safely, and less expensively kept. The accused himself preferred to go there, so that the procedure would be no wrong to him.

The objection raised by Mr. Denny, on the point of law, against persons from other districts being committed for trial in the Consular jail at Shanghai, did not occur to me, although the section, to which reference is made in the Revised Statutes, was to me not unfamiliar. Convicts, of course are persons who have been tried and convicted. Yet is it quite certain that this "prison for American "convicts in China," was intended for the use of convicts only? So far as

(concerns

concerns the Consular district of Shanghai
there can be little doubt that it was
intended to serve the purpose both
of a prison for convicts and of a
temporary lock up. And such, I
suppose, is the actual use to which
it has been put. But if offenders
only charged, not yet convicted, from
one district may be lawfully
confined in it, it is difficult to see
how the mere circumstance of its
being a prison for convicts should
make it unlawful to confine in it
similar offenders from another district.
It may be that such a use of this
jail was not contemplated; for as a
general thing it would be impracticable
and undesirable. But if a case should
arise, as I thought there arose here,
when the circumstances made it both
practicable and desirable, I do not see
that its being so used would be a
violation of any law, and if it were,
it must be for another reason than
the one that is here brought forward.

I

I make these remarks not at all to controvert or criticize the view taken in the matter by Judge Denny, but simply as stating the views that influenced me in the course that I took. I am aware now that I should not have sent Burnett to Shanghai. The result has been unfortunate. But I did not anticipate this result.

Finding that Burnett was at large, and that he could not be recovered on the warrant under which he had been sent to Shanghai, I went up to see Judge Denny and find out precisely what process was needed to secure his recovery and how it could be properly and efficiently served in his district. He kindly gave me what information I needed, and manifested every willingness to aid me in the matter. I returned to Ningpo and sent, as soon as arrangements could be made, another person as deputy Marshal to Shanghai, to look up Burnett, arrest, and bring him back

to

to Ningpo. This person was gone several days, but returned unsuccessfully. He informs me that he had all the assistance needed both from Consuls and the police: that aided by the latter great effort was made to find Burnett; but he was not found, nor was it ascertained whether he had left the port, or whether he was hidden there. My Marshall tells me that he effected, through the assistance of our Consul General, an arrangement with the Shanghai Police, to arrest Burnett in case he could be found, or should make his appearance there. This was about a week ago; but up to this time no further information has been received about him.

My letter to the Wenchow Taotai, stopped, just as it was ready to be sent, by the escape of Burnett, still lies in my office. There is of course no need of witnesses, unless the accused can be recovered. I have been hoping day by day that this might be effected.

effected; but my hope has not been realised, and whether it ever will be seems more and more uncertain. But I shall endeavour to do all I can to effect it.

I have the honor etc,

(signed) E. C. Lord.

Despatch No. 710.
Enclosure 2.

Mr. Seward to Mr. Lord.
No. 70. June 21st, 1880.

Sir:—

I have had the honor to receive your despatch No. 125,— reporting the escape of Burnett.

You will do well to write to the Wenchow Authorities stating all the facts, and expressing your regret that he has escaped. You should also make such further effort to secure his re arrest as may be possible.

I shall explain the matter to the Foreign Office.

I am, Sir, etc.

(signed) George F. Seward.

Approved, sayi
ing a Suitable instr.
will be sent to Consul
Lincoln at Canton.
Aug. 31, 1880.
Mr. Cridler.

Dft to Mr. Cridler
Sept. 3. 1880

Ack & approve
instruct Consul at Canton

No. 716. Two Enclosures.

Legation of the United States.

Peking, July 3rd, 1880.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

George F. Seward to
the Secretary of State.

Subject.

Case of the interpreter at Canton.

Synopsis.

Mr. Lincoln having reinstated the Interpreter, his attention has been called to Department instruction No. 353. Encloses a copy of Mr. Lincoln's response.

No. 716. Two Enclosures.

Legation of the United States.

Peking, July 3rd, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to your instruction number 353. in which you approved the action taken in the removal of Mr. Yii C. Cheung Interpreter to the Consulate at Canton, I have the honor to hand to you herewith a note 1/716 which I addressed to Mr. Lincoln upon learning that he had placed the Interpreter again on duty.

I

2/716. I also enclose a copy of Mr. Lincoln's response.

As this response appears to be in the handwriting of the Interpreter I conclude that Mr. Lincoln has not seen fit to comply with my request.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Mr. Seward to Mr. Lincoln. No. 90. May 31st, 1880.
2. Mr. Lincoln in response. No. 61. June 22nd, 1880.

Despatch No. 716
Enclosure 1.

Mr. Seward to Mr. Lincoln.
No. 90. May 31st, 1881.

Sir:—

I understand that you have placed Yu C. Cheung again on duty as Interpreter in your Consulate.

Your action in this respect is disapproved by me, and I respectfully request that his suspension by Mr. Cheshire, approved by myself and now by the Department be regarded by you as conclusive.

I am, Sir, etc,
(signed) George F. Seward.

Enclosure.
1 Mr. Evarts to Mr. Seward.
No. 353. March 20th, 1880.

Despatch No. 716.
Inclosure 2.

Mr. Lincoln to Mr. Seward.
No. 61. June 22nd, 1880.

Sir:—

On the 15th instant I had the honor to receive your despatch No. 90, with inclosure.

I have the honor, etc,
(signed) C. P. Lincoln.

Mr. Adee

No. 717. One Enclosure.

Legation of the United States.

Peking, July 5th/4 1880.

George F. Seward to the Secretary of State.

Subject

Passport question. Complaint against Mr. Kraegowan.

Synopsis.

Forwards a further despatch from the Foreign Office. As the complaint which originated the correspondence has been lost sight of the subject will be dropped.

Add'l. The matter may be regarded as being ready to receive a position when it may need support. aug. 30. 1880 Mr. Cridler

DEPARTMENT AUG 27 1880 RECEIVED

No. 717. One Enclosure.

Legation of the United States.

Peking, July 5th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to my despatches, numbers 697. and 700. forwarding correspondence had with the Foreign Office in regard to a complaint made by them that Mr. Macgowan, an American citizen, had traveled in the province of Szchuen without a passport, I have now the honor to hand to you a copy of a further despatch which

I

1/717

I have received from Prince Kung.

As the original complaint appears to have been lost sight of by the Chinese, and as it would probably be profitless to pursue the subject further, I shall make no answer to the Prince's communication.

I have the honor to be,
Sir,
Your obedient servant.
Geo. F. Seward

Enclosure.

1. Prince Kung to Mr. Seward 5/1880. June 30th/4, 1880.

Despatch No. 717.
Enclosure.

5/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

Upon the 5th inst. I had the honor to receive Y. E's despatch in rejoinder in the case of Dr. Macgowan who traveled in the province of Szchuan without a passport. In it you state that, in case of the loss of a passport, to stop at an interior point in order to send back to the nearest Consulate for a new one must occasion unnecessary delay, and Y. E. enquires whether, in such circumstances, evidence to the fact of the loss of the original passport having been produced, the local authorities might not grant some kind of safe conduct etc. etc.

In reply I have the honor to remark that the rule under which travelers in the interior who lose their passports are required to make application to the nearest Consular officer for a new

one

one, while it may inevitably occasion some delay, still has in view the full protection of the persons concerned, as Y. E. is doubtless well aware. There would appear to be no occasion to change this regulation.

As regards the point made by Y. E. in behalf of travelers who have lost their passports and who may apply to the local authorities with evidence as to the fact, etc. I beg leave to reply that the possession of a passport is the evidence of a right to travel in the interior. In case of the loss of this document, the traveler concerned may represent the facts to the nearest Chinese authority who will make application to the nearest Consul for a new one, and upon its receipt by the Chinese authority it will be countersealed and delivered to the person concerned. This mode of procedure seems to be more expeditious and does not lose sight of the effectual protection of the traveler. In which view I do not doubt that Y. E. will agree with me.

H. E. George F. Seward,

&c — &c — &c — &c.

Peking, June 30th, 1880.

A. R

add.

Mr Adee

No. 718. One Enclosure.

Legation of the United States.

Peking, July 5th 1880.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Ching hou's case.

COMMUNICATIONS
1880

Synopsis.

Sentence of decapitation suspended. Attitude of Chinese Government more favorable to a peaceable settlement of the pending question with Russia.

1880

No. 718. One Enclosure.

Legation of the United States.

Peking, July 5th 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, a translation of a 1/718.
note which I have received from Prince Kung, enclosing a copy of an important Edict in the case of Chung How, late Chinese Minister to Russia.

I am informed, on what seems to be good authority, that the Kuldja question and Chunghow's case have recently been

been made the subject of the deliberations of a Council of State at this Capital. One of the results of these deliberations is the Decree given herewith. I learn, further, that a wide difference of opinion was manifested in the Council between the members of the so called pro foreign and anti foreign parties in Chinese politics as to the proper course to be taken in the present condition of affairs, and that eight of the members of the Council, headed by the older brother of Prince Kung, refused to sign the report to the Throne upon which the present Edict is based.

The

The action thus taken indicates a disposition favorable to peace on the part of this Government, and that the counsels of Prince Kung are again in the ascendency. The childish condition attached to the suspension of punishment or the pardon of Chung how — that he is to remain in prison until the settlement with Russia is effected — was probably demanded by Prince Kung's opponents.

I have the honor to be,

Sir,

Your obedient servant.

Wm. F. Seward

Enclosure.

1. Prince Kung to Mr. Seward
Informal June 3rd/4, 1880.

Despatch No. 718.
Enclosure.

Informal.

Prince Kung to Mr. Seward.

July 3rd, 1880.

I had the honor to receive some time since a note from Y. E. in the matter of the punishment inflicted upon the Minister Chung How, to which a reply was duly made.

His Imperial Majesty, the Emperor of China, is much concerned lest aversion and distrust shall grow out of this business the possibility of which was indicated in Y. E.'s note. His Imperial Majesty therefore, as an act of special grace has revoked the punishment denounced upon Chung How in evidence of the friendly feeling between China and Russia.

I beg leave to submit herewith a copy of the Imperial Decree for your information, and

to

to express my gratitude to Y. E.

Cards and Compliments.

Enclosure.

An Imperial Decree.

Received June 26th, 1880.

As Chung How, sent as Our Envoy to Russia, violated his instructions and exceeded his powers, and because the treaty made by him contained many stipulations which were impracticable, Our High Ministers of State in Council deliberated upon his offenses and decided that he should be decapitated after the autumn assizes as a punishment befitting his guilt. But now We hear from without* that this matter is discussed and that many are of opinion that the punishment of Chung How on the part of China reflects upon the dignity of Russia. This is very far from being the design of the Imperial Throne. China has been upon a footing of amity with Russia for more than two hundred years and it is assuredly Our desire that

* Outside the Palace.

C.H.

that this may continue to the end of time and that the amicable relations of friendly States may not be destroyed.

Ching How in obedience to Our mandate, acting as Our Minister, without deliberate and careful negotiations with Russia recklessly gave assent to stipulations which China cannot fulfill. He has brought his punishment upon himself. The Throne deals with him according to the statutes, and maintains that, in thus acting, the laws of China deal with a Minister of China, and that Russia is not affected in any way. But We fear that, as the report of our action must travel to a great distance and be transmitted from one to another, the real motives which have prompted the conduct of China in this business may not be perfectly understood, that aversion and distrust may spring from

from a misapprehension of Our motives, and that friendly relations will be unavoidably interfered with.

We, therefore, acting outside of the Statutes, and as a special mark of grace, remit temporarily the sentence of decapitation after the autumn assizes passed upon Chung How. Let him however be detained in prison until the Marquis Tseng shall have reached Russia, and it shall appear how the matters at issue may be adjusted, when a further Decree in his case will be made known.

Let the Marquis Tseng upon receipt of this Decree inform the Government of Russia that the sentence of decapitation passed upon Chung How has been temporarily remitted, and let him state that in this act is to be seen an evidence of the friendly sentiments of China towards Russia.

In the treaty stipulations

which

that this may continue to the end of time and that the amicable relations of friendly States may not be destroyed.

Ch'ung Hou in obedience to Our mandate, acting as Our Minister, without deliberate and careful negotiations with Russia recklessly gave assent to stipulations which China cannot fulfill. He has brought his punishment upon himself. The Throne deals with him according to the statutes, and maintains that, in thus acting, the laws of China deal with a Minister of China, and that Russia is not affected in any way. But We fear that, as the report of our action must travel to a great distance and be transmitted from one to another, the real motives which have prompted the conduct of China in this business may not be perfectly understood, that aversion and distrust may spring

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In the treaty stipulations

which

which he must negotiate, let him deal with the business and reach a satisfactory solution in accordance with Our will as already expressed to him.

Respect this.—

ack May 7

No. 719. Two Enclosures.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

Legation of the United States.
Peking, July 6th, 1880.

George F. Seward to
the Secretary of State.

PRINTED.
FOREIGN RELATIONS
1880

Subject.

Correspondence with Chinese authorities.

Synopsis.

Transmits a despatch from Mr. Lord urging that our officers should transmit their communications to the Chinese in English, and Mr. Swards response.

No. 719. Two Enclosures.

Legation of the United States,

Peking, July 6th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

I have the honor to hand to you, herewith, a copy of a No. 719. dispatch which I have received from our Consul at Singapo discussing the question why foreign officials should not make use of their own language in their communications to the Chinese authorities, and stating his conviction that the time has come when the Chinese should be

be called upon to do their share of the work of translating official communications.

I have responded to

2/719. Mr. Lord, that he is at liberty to send his despatches to the authorities in English if he can do so without sacrificing any of the interests committed to him.

I have the honor to be,

Sir,

Your obedient servant

Geo. F. Seward

Enclosures.

1. Mr. Lord to Gen. Seward
   No. 124. May 31st, 1880.
2. Gen. Seward in response.
   No. 69. June 12th, 1880.

Despatch No. 719.
Enclosure 1.

Mr. Lord to Mr. Seward.
No 124. May 31st, 1880.

Sir:-

I venture to submit a few remarks for your consideration on the question which forms the subject of this letter, namely: "Why should "not foreign officials use their own "language in their communications "addressed to the Chinese authorities".

That they should do so, and that they should do so as soon as it could be made practicable was certainly contemplated at the time when the treaties were made, as a number of these treaties have stipulations to that effect. In the English Treaty, Art. I, we read "All "official communications addressed "by the Diplomatic and Consular "Agents of Her Majesty the Queen "to the Chinese Authorities shall, "henceforth, be written in English. "They will for the present be

(accompanied

"accompanied by a Chinese version,
"but it is understood that, in the
"event of there being any difference
"of meaning between the English and
"Chinese text, the English Government
"will hold the sense as expressed in
"the English text to be the correct
"one". The language of the French
Treaty. Art. III. is to the same effect,
only more explicit. We read. "Les
"communications officielles des agents
"diplomatiques et consulaires français
"avec les autorités Chinoises seront
"écrites en français, mais seront
"accompagnées, pour faciliter le service,
"d'une traduction Chinoise aussi
"exacte que possible, jusqu'au moment
"ou le Gouvernement Impérial de Pékin
"ayant des Interprètes pour parler
"et écrire correctment le français, la
"correspondance aura lieu dans cette langue
"pour les Agents français, et en chinois
"pour les fonctionnaires de l'empire,"
Several of the other treaties have
similar stipulations, but I need
not

not burden this letter with further quotations. Their language on this subject is the language of reason, simply stating what should be, and what commonly is, official custom — that communications are made in the language of the party addressing, and that translations of them, if translations are needed, must be provided by the party addressed. There would be no justice, there would be great inconvenience in laying the burden of making these translations all upon one side. And so it is never done except under extraordinary circumstances, and then only, as here contemplated, till these circumstances can be changed. At the time these treaties were made, it was understood that the Chinese Government could not perform its part of this work, for the want of suitable Interpreters. So foreign Governments kindly consented to perform this work for it, until it should have time to provide its Interpreters, it being understood

understood of course that prompt and efficient effort would be made in that direction. This was many years ago, time more than enough for all the Interpreters needed to have been born, reared, trained and put into service. But we see them not. The burden which we took up then we have still to carry: and there is very little doubt but we shall have to carry it for ever unless we ourselves determine to lay it down. The Chinese certainly will never offer to relieve us of it. They understand too well the convenience and advantage afforded them by their present freedom. But we need not blame them for this. We might do the same in like circumstances, for we can easily imagine what a convenience it would be to us, if, in our intercourse with these officials, we could use our own language in our communications to them, and then have them use it in their communications to us. To be rid of the endless bother

bother which we now experience, first in trying to understand them, and then in trying to make them understand us, would be a boon that we might well covet. This boon - this peculiar privilege, they have long enjoyed, and one can hardly wonder if they are loath to part with it now. Of course the peculiar privilege which they have enjoyed we cannot expect. We cannot ask the Chinese to speak and write to us in English. They will use their own language and it is right and proper that they should. But we may ask, and insist upon, a similar right, the right to use our language in our communications to them.

I. This right is a natural one. We naturally, and for the most part necessarily, use our mother tongue.

II. This natural right has the sanction of common usage. As a principle it is commonly recognized and commonly respected. Everybody knows that it is both natural and

(suitable

suitable for an Englishman to speak and write English; a Frenchman, French; and a German, German; And they are always allowed and always expected to do it, unless there is some special reason for their not doing it.

III. Here there was a special reason for their not doing it, for a time. Or rather there was a special reason why, using their own language, they should for a time afford the Chinese Authorities translations of it. But in recognizing this reason, and in assenting to the arrangement which it seemed to require, care was taken to have it understood that a concession was made, not an obligation assumed, that the concession was a temporary one and that it was to cease as soon as circumstances would permit.

IV. This temporary concession, as I have before said, was made many years ago. How far the circumstances of the Chinese Government have since

changed

changed it might be somewhat difficult to say. But they have changed much and, in my opinion, quite sufficiently to make it possible and proper that it should now be charged with its own work, the work of which I am here speaking. The Government apparently has had no difficulty for many years in finding all the interpreters and translators that it has needed in its Customs service, its military and naval operations, and whatever other enterprises it has chosen to undertake. And it could no doubt easily find all the help it might need in this service. In a word, I believe that the reason which existed at the time when the treaties were made for our assisting the Chinese Government in this matter, exists no longer, and that the time has come when we may fairly lay aside this grievous and thankless burden.

V. I have called this burden grievous

grievous. It is so for these reasons. In the first place, it is not ours, but one that belongs to the Chinese. In the second place, it is heavier for us than it would be for them. I mean that it costs us more labor to write or translate our despatches into Chinese than it would cost them to read and interprete them in English. In the third place the labor referred to, so unequally divided, and so unfair for us, becomes still more unfair — whenever it is needlessly increased. And this very often happens. Perhaps it always happens, when matters come up that lead to controversy. Chinese officials have great facility in writing despatches, and they seem never to weary of it. They can write several with less labor than it costs us to write one; and they can say more unreasonable and absurd things in five minutes than we, shut up to the use of their, to us, unwieldy language, than we can controvert in

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as many hours. In short, having to communicate with the Chinese authorities wholly in their language, they have very greatly the advantage over us. And in their correspondence, and especially when there is anything like controversy, they do not hesitate to use it, and to use it needlessly to our inconvenience.

VI. I have called this a thankless burden. It has always appeared to me to be such. The Chinese Authorities no doubt understand the advantage which they have from our being required to do their part of the translating needed in our official intercourse; but they probably do not either appreciate the arrangement or understand the motive that led to it. Indeed, in regard to the motive, or the merits, of this arrangement they probably take very little thought. And so far as they take any, the expression of it might perhaps be something of this kind: "We do not want

want these foreigners here — we want no intercourse with them, if they insist on coming here, and having to do with us, they must communicate with us in our language. We are not going to bother ourselves to find out what they say in theirs." — "Their treaty stipulations on the — subject they have forgotten, or they are content to overlook them. What we have done for them so long they expect us still to do. They have not forgotten, they will not forget that we undertook to do this work. They have only forgotten that we undertook to do it for them, and that we did not undertake to do it always.

VII. This mode of carrying on our intercourse with the Chinese officials — though it greatly relieves them of labor, and always gives them the long end of the whipple-tree in their pulls — with us, is yet a real detriment to them as well as to ourselves. It tends to keep them to their traditional — routine

routine, their narrow views, and their lame logic, when they need so much to be brought into contact with new and better things. There is nothing that the rulers of this country need more than conflict with foreign thought. And they need to reach this thought not through the translations which we make for them, but which they must take the responsibility of making or having made for themselves. Toiling to comprehend our modes of thought they will learn to respect them, and respecting them they will respect us. In this way we shall be brought nearer to each other, and many of the difficulties that now burden our intercourse will be removed.

VIII. If now this work, of which I have been speaking, naturally belongs to the Chinese and not to us; if it was undertaken by us as a help to them at the time of their incapacity; if it was understood that our service was only a temporary one, to end as

soon

soon as their incapacity should cease, and if that time has now arrived, why should not this burden, so long and so wearily borne, be laid aside? and especially when to lay it aside would result in benefit to us all?

I do not know whether you will regard this a subject of sufficient importance to demand your attention either now or at some future time. But it is one which practical difficulties have often forced upon my attention; and I have taken the liberty of submitting to you these few remarks upon it.

I have the honor, etc.

(signed) E. C. Lord,

Despatch No. 719.
Enclosure 2.

Mr. Seward to Mr. Lord
No. 69. June 12, 1880.

Sir:—

I have had the honor to receive your very interesting despatch No. 124.

I concur in your view that it is desirable to use the English language in letters addressed to the Chinese Authorities, whenever we can do so without injury to the interests involved, and that it will be allowable to write in English having reference to Treaty stipulations and to some, at least, international usages.

If you believe then that you can discontinue the preparation of despatches in Chinese, sending them to the authorities in English, without sacrificing the interests confided to you, you have my full approval for adopting such course.

I am, Sir, etc, etc,
(signed) George F. Seward.

Mr Adee &
Col. Morgan

No. 720. One Enclosure.

Legation of the United States.
Peking, July 6th, 1880.

George F. Seward to
the Secretary of State.

Subject.

Cost of telegrams.

Synopsis.

Refers to Department instruction, number 360. Has drawn for the cost of the telegrams. Transmits account.

No. 720. One Enclosure.

Legation of the United States.

Peking, July 6th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

Referring to my despatch number 571. in which I requested permission to reimburse myself for certain sums paid for telegrams sent to the Department amounting to $99.55; and to your instruction, number 360. by which I was authorized to draw upon you for the sum stated, I have now the honor to inform You that I have done so, and to enclose 1/720.

a statement of the account, with vouchers herewith.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Lewis

Enclosure.

1. Statement of account for three telegrams.

M

ack
by
Mr Adee

No. 721. One Enclosure.

DEPARTMENT OF STATE
AUG
27
1880
RECEIVED

Legation of the United States.

Peking, July 7th, 1880.

George F. Seward to
the Secretary of State.

Subject.

Assault upon the Sites.

Synopsis.

Forwards translation of a note received from Prince Kung. The Chinese Foreign Office have sent emphatic instructions in the case to the authorities at Foochow.

F.R. 1880

No. 721. One Enclosure.

Legation of the United States.

Peking, July 7th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to my despatch number 713. in the matter of the attack upon Mr. Sites at Yenping fu, I have now the honor to hand to you, herewith, 1/721. a translation of the answer made by the Foreign Office to my request that specific instructions upon certain points be sent to the Chinese Authorities at Foochow.

Your

You will notice that the Prince states that emphatic orders have been sent, as requested by me.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Prince Kung to Mr. Seward
53/1880. July 6th/4, 1880.

Despatch No. 721.
Enclosure.

53/1880.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

Upon the 24th ultimo I had the honor to receive a despatch from Y. E. in the matter of the assault upon the Reverend Mr. Sites at Yen-Ping foo in which Y. E. states that you have instructed Mr. Consul de Lano to avoid controversy in dealing with the case, etc. etc.

I have transmitted a copy of Y. E's despatch to the Viceroy at Foochow, instructing him to give the most emphatic orders to the Prefect and District Magistrate at Yen Ping to proceed at once with the greatest thoroughness to arrest the rioters, and that they must all be brought to appear in the case; and that, in

(the

the meantime, to fix upon a day, of which the Consul shall be informed, ~~[illegible]~~ the cases of the two rioters already arrested, and the wounded man Chen Kuei may, in the presence of the Consul, be tried and decided according to justice, and that there must be no farther delay.

Upon receipt of a response from the Viceroy I will again address Y. E.

N. E. George F. Seward,
etc — etc — etc — etc —

Peking. July 6th, 1880.

Mr Adee

No. 722. One Enclosure.

Legation of the United States.

Peking, July 7th, 1880.

DEPARTMENT AUG 27 1880 RECEIVED

George F. Seward to the Secretary of State.

Subject

Stationery for the Legation.

Synopsis.

Refers to Department instruction, number 299, May 3. 1879 and forwards a memorandum of articles needed.

No. 722. One Enclosure.

Legation of the United States.

Peking, July 7th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

In obedience to your instruction, number 299. I now have the honor to hand to you herewith a memorandum of 1/722 stationery, etc. needed in this Legation.

I beg leave respectfully to state that the despatch paper sent out last year was very inferior in quality, and to request that in sending the quantity

quantity asked for herewith, care be taken to secure the same quality of paper as the samples herein enclosed.

You will notice that application is made for a seal for the Legation. The one now here has, I presume, been in use since 1844. The impression given by it is exceedingly indistinct, and you will doubtless recognize the need of a new one. It is suggested that the dies be made larger, or say 1 5/8 inches in diameter.

It would be advisable to fill this requisition as promptly as may be, since, in case the articles needed fail to reach

Shanghai

Shanghai before the middle
of November, they are likely to
be detained at that point until
the reopening of navigation next
March. Such was the case with
a portion of the stationery sent
from the Department last year.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Memorandum of stationery, etc.
needed by the Legation

f
File

ack
by
WR Adee

No. 723. Two Enclosures.

Legation of the United States.

Peking, July 7th, 1880.

DEPARTMENT OF STATE
AUG
27
1880
RECEIVED

George F. Seward to
the Secretary of State.

Subject.

Property at Kushihshan in Foochow.

Synopsis.

Encloses copies of further correspondence had with Hon. Tso Tsung upon this subject.

7 R

No. 723. Two Enclosures.

Legation of the United States.

Peking, July 7th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to hand to you, herewith, a copy of a 1/723.
further despatch which I have received from Mr. Le Lano concerning the proposed rules to prohibit the acquisition of land by foreigners in the vicinity of Wushih shan in the city of Foochow.

It appears from Mr. Le Lano's despatch that, despite the

the refusal of the foreign Representatives to assent to the regulations in question, these regulations have by the order of the local authorities, been cut in stone and posted in the neighborhood to which they have reference.

I have responded to

2/723. Sir. Mr. Lamb that the business requires collective action on the part of the foreign Ministers, and that the matter will be kept in mind, although some delay may arise owing to the fact that the foreign Representatives are scattered for the summer.

I have the honor to be,

Sir,

Your

Your obedient servant.

Geo. F. Seward

Enclosures.

1. Gen. Hle Lano to Gen. Seward
   No. 171 June 18th, 1880
2. Gen. Seward to Gen. Hle Lano.
   No. 132. July 5th, 1880

Despatch No. 723.
Enclosure 1.

Mr. De Lano to Mr. Seward.
No. 171. June 18th, 1880.

Sir:-

I have the honor to hand you herewith a copy in Chinese and a translation of a proclamation which has been cut upon stone and erected in a conspicuous place upon a public road near to Wu shih shan in this city.

On the occasion of my interview with the Viceroy on the 16th instant, I produced the copy of the proclamation and respectfully asked him to cause it to be removed, on the ground that it was in contravention of the Treaty and generally hurtful to the interests of foreign residents at the port.

In the course of conversation on the subject, which on my part was respectful and decorous, I said that many things had transpired here during his incumbency which had led up to trouble between foreigners and

Chinese

Chinese ——•——, and I had
reason to think that the general
tendency of his administration of
foreign affairs had been to complicate
matters, disturb the public mind,
and render the relations between his
people and foreign nationals less —•—
harmonious than they had formerly
been. He replied that the fact alone
of his having thrown open his central
gates to foreign Consuls was proof
of his friendliness. Finally he, in a
most undignified manner, said he
had long wanted to get away from
Foochow and had put forward the
plea of illness in hopes that the
Government might relieve him and
he would feel very much obliged
if I would report against him at
Peking so that the Minister might
ask the Yamen to "brush him out of
the way."

In regard to the proclamation
he said that the English Consul
and others had assented to it
(or

(or to the prohibitive regulation which was sent by despatch to the various Treaty Consuls), that he had reported his action to the Foreign Office and could not withdraw the proclamation except upon orders from Peking.

I find as I stated in my No. 162. that the British Consul and Danish Vice Consul were the only ones who showed a disposition to acquiesce in the regulation so far as to circulate a notice of it for the information of their respective nationals.

I have the honor, etc,

(signed) ~~George F. Seward.~~

W. W. DeLano

Enclosure.

Copy of a proclamation re. Wu shih shan

Proclamation.

Cheng, specially granted the post of Sub. prefect of Amoy — maritime defence, acting magistrate of the Hou Kwan District in the prefecture of Foochow, with ten steps of commutative rank and recorded at the Board with honorable — mention ten times. In the matter of an inscription in stone to make known a prohibition to be transmitted long and far.

"It appears that of the Wu-
"shih shan hills that of the most
"extreme importance is the First hill
"where the pulse (currents?) of nature take
"the earth. Enquiry into the influences
"of nature shows that the grace
"and spirits of Wu Shih Shan flow
"away and escape towards a point
"opposite this hill - that is to say
"towards my (the Magistrate's) Yamen.
"The Yamen of the Superintendent of

(the

"the Government schools of the district
"and the Confucian Temple, all depend
"upon this hill to look kindly down
"upon them. The character of the
"people and the literary success of
"the scholars are very deeply —»
"interested therein. Although upon
"the hill there is enclosed ground
"planted with trees and covered with
"small buildings, yet, after all, the
"foundation of the hill is at the bottom
"a public thing affecting the whole
"city:— the nature pulse of the
"said locality is therefore interested.

"Some time ago I received from the
"scholars and elders of the whole city a
"petition requesting that a prohibition
"be published. The several high —»
"authorities have been (by me) petitioned,
"and their instructions received to the
"effect that it is not permitted to
"Chinese subjects, plotting for gain,
"lying and defrauding, to privately —»
"inveigle Chinese or foreigners into —»
"leasing: (grounds or houses). Thus —»
(trouble

"trouble may be avoided in the inception,
"and the nature pulses be kept at rest.
"I have moreover been favored by the
"Authorities, with a communication,
"acquainting the foreign Consuls, in order
"that they might with one accord pass
"on instructions (to their nationals): all
"of the above being on record".

"In addition to a despatch being
"handed by me to the Min District
"Magistrate's Yamen, for his information,
"it is fitting that a stone be inscribed
"with a perpetual prohibition".

"Therefore this proclamation; to which
"pay attention; and with which you the
"scholars and elders of the whole city,
"and the people dwelling in the
"neighborhood, and the property owners
"on the hill side should be thoroughly
"acquainted and with one accord respect
"the perpetual prohibition above pointed
"out. If you presume to listen to traitorous
"brokers, who league together to inveigle
"any one into privately leasing to either
"Chinese or foreigners, and cause a disturbance,

(as

as soon as it transpires, you will be uncompromisingly arrested, and brought up, and the merits of the case will be discriminated, and you will be punished and the ground or houses so privately leased will be confiscated. Indulgence will on no account be shown. Now this should be perpetually and tremblingly observed by every one! Do not disobey! A Special proclamation in earnest."

Kwang-Su, 5th year, 11th moon, 8th day.

Despatch No. 723
Enclosure 2.

Mr. Seward to Mr. De Lano.
No. 132. July 5th, 1880.

Sir:—

Referring to your despatch No. 171. in regard to a proclamation recently posted in the vicinity of Wu shih shan, I beg leave to say that the matter is one which will require collective action on the part of the Diplomatic Body. As the several foreign Ministers are now scattered for the summer, it will be difficult for me to secure prompt action, but the subject will be kept in mind.

I am, Sir etc,
(signed) George F. Seward

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No. 724.

Mr Adee
2 Clerks

Legation of the United States.

Peking, July 8th, 1880.

DEPARTMENT OF STATE
AUG
27
1880
RECEIVED

George F. Seward
to Mr Hill

the Secretary of State.

Subject.

Resignation of Mr. Bethick.

Synopsis.

Refers to this resignation and the steps which have been taken to fill the vacancy. Speaks of the value of Mr. Bethicks services to the Government and expresses regret that they could not have been retained.

No. 724.

Legation of the United States.

Peking, July 8th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

I am informed by Mr. William M. Pethick, Vice Consul and Interpreter at Lientsin, that he has sent to the Department his resignation to take effect upon the 30th ultimo.

As Mr. Pethick has been in charge of the Consulate since Mr. Henry was transferred to Shanghai, and as his resignation has left the Lientsin Office

office entirely vacant, I have requested my colleague, the French Minister, to authorize the French Consul at Tientsin to take charge of our interests temporarily. I have been obliged to take this course in the absence of any suitable American resident at that port who would consent to accept an appointment to fill the vacancy.

Mr. Pethick entered upon his duties as Vice Consul and Interpreter at Tientsin in January, 1873. His appointment was substantially contemporaneous with the appointment of the first full Consul of the United States at that port, prior to which we had

had been represented by a British subject who held the post of Vice Consul without salary. During the 7½ years of Mr. Pethick's incumbency he has been at his post constantly, and has discharged his duties with rare faithfulness and ability. Indeed, it is very moderate praise to say that his tact, discretion, and zeal have largely contributed to secure the vastly improved position which our Tientsin Office has maintained during recent years.

While our commercial interests at that port have never been large and have fallen off since the transfer of Messrs. Russell

&

Company's steamers to the Chinese, on the other hand the great influence of the Viceroy at Tientsin in the councils of this Empire has caused many questions of great importance and of wide bearings to be referred to him for adjustment, and it has been peculiarly fortunate for our interests in China, that Mr. Pethick has always been able to maintain a relationship of great intimacy and confidential friendship with that High Officer.

His thorough knowledge of the language and people of China has been constantly utilized both within and without the

the limits of his official duties for the best interests of both countries, and our Government may well look with satisfaction upon the result.

It has always been my desire, as you are doubtless well aware, that the United States should be able to retain the services of Mr. Pethick, and to place him, as I urged in my dispatch No. 553. in a position of greater responsibility where he might be even more widely & useful in the future than he has been in the past.

It is, in my opinion, exceedingly unfortunate that the Government has not seen its way clear to this desirable course

course, and that in consequence we are to lose the benefit of his services altogether.

I have the honor to be,

Sir,

Your obedient servant.

Geo. T. Lewis

No. 725. One Enclosure.

Legation of the United States.

Peking, July 10th, 1880.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

George F. Seward, to the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Forwards statement of this account for the quarter ended June 30th, 1880.

M

No. 725. One Enclosure.

Legation of the United States.

Peking, July 10th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I have the honor to hand to you, herewith, a statement of 1/720. of the rent account of this Legation for the quarter ended June 30th, 1880.

You will notice that my draft upon you was drawn for $750.00 less the amount of gain by exchange for the three preceding quarters, as shown in my despatch, number 680.

680. As this amounted to $119.07, the draft was drawn for $630.93.

A duplicate statement will be forwarded by the next mail.

I have the honor to be,

Sir,

Your obedient servant.

George F. Seward

Enclosure.

1. Statement of Legation rent account for the quarter ended June 30th/4, 1880.

Approved Aug. 31. 1880
Mr. Geiler.

ask approval
by
W Adee

No. 726. One Enclosure.

Legation of the United States.
Peking, July 10th, 1880.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

George F. Seward to
the Secretary of State.

PRINTED
FOREIGN RELATIONS
1880

Subject.

Case of Chiung Chou.

Synopsis.

Refers to despatch number 718., and covers a copy of a note in reply from Mr. Seward to Prince Kung.

2.

No. 726. One Enclosure.

Legation of the United States.

Peking, July 10th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Referring to my despatch, number 718. in which were enclosed copies of a note and an Edict, regarding Chung how late Chinese Minister to Russia, I now have the honor to transmit, herewith, a copy of a note 726. in reply which I am sending to Prince Kung.

Asking your approval of this action on my part,

I

I have the honor to be,
Sir,
Your obedient servant.
Wm H. Seward

Enclosure.

1. Mr. Seward to Prince Kung
Informal. July 10th, 1880.

Despatch No. 726.
Enclosure.

Mr. Seward to Prince Kung.
Informal. July 10th 4., 1880.

I have had the honor to receive the letter which Y. I. H. addressed to me on the 3rd inst. in regard to the case of Cheung How.

When I had the honor some time since to communicate to Y. I. H. certain views which I held touching the matter in question, I spoke, as is my habit, with sincere and earnest feelings of friendship for China, and I desire now to express to you my thanks for the very considerate manner in which you received my words.

It is not likely that I should have again spoken upon this subject had Y. I. H. not again addressed me, for I recognize, as does my Government, your right to deal with your officers in your own way. But since I have received a further letter from

(you

you, I think it not inappropriate
to state that my Government has ②
informed me that it specially
approved the language used in my
earlier note. You will see from this
that the information of the
suspension of the sentence of the
ex-Ambassador will be received with
appreciation at Washington and that
the clemency of the Emperor will
be regarded as indicating His
disposition to promote peaceful
relations with all countries, and
to deal considerably with a person
who has served the State in
distinguished ways.

I seize this occasion etc. etc.

(signed) George F. Seward.

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No. 727. One Enclosure.

DEPARTMENT OF STATE
AUG 27 1880
RECEIVED

Legation of the United States.

Peking July 10th, 1880.

George F. Seward to
the Secretary of State

Subject.

Assault upon the Rev. Isr. Sites.

Synopsis.

Refers to despatch number 721.
and forwards copy of a further
note to Prince Kung stating that
the man Chen Kuei should be
sent to the Consulate to make
complaint against Isr. Sites.

No. 727. One Enclosure.

Legation of the United States.

Peking, July 10th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

I had the honor to hand to you, with my despatch number 721, a very satisfactory note which had been received from Prince Kung in the case of assault upon Mr. Sites at Yen Pingfu. As that note seemed to indicate some misapprehension on the part of the Foreign Office as to the procedure which should be followed at Foochow, I have thought

thought best to address myself to the Prince again, thanking him for his prompt and decided action, and, at the same time, stating that it would be necessary for the man Lehin Kuei who is said to have been wounded by Mr. Sites, to make a formal complaint at the Consulate.

1/727 I enclose a copy of my note herewith.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

1. Mr. Seward to Prince Kung
55/1880. July 7th, 1880.

Despatch No. 727.
Enclosure.

Mr. Seward to Prince Kung.
55/1880. July 7th, 1880.

I have had the honor to receive Y. I. H. letter of yesterday in regard to the assault upon the Reverend Mr. Sites at Yen Ping.

While thanking you for your very prompt and positive action I ought to call your attention to the fact that the man Chen Kwei declares, or is said to declare, that he was wounded by Mr. Sites. He ought therefore to repair to the Consulate and make a statement of the matter, whereupon the Consul will summon Mr. Sites and hear the case according to law, in presence of your officers.

It is possible that it may be desirable to call the attention of the Viceroy to the procedure which should be followed.

I have the honor, etc.
(signed) George F. Seward.

6

One Enclosure.

DEPARTMENT SEP 15 1880 RECEIVED

Legation of the United States.

Peking, July 14th, 1880.

Chester Holcombe to the Secretary of State.

Subject.

Salary account.

Synopsis.

Mr. Holcombe refers to his despatch of the 30th ultimo, and forwards a duplicate of his statement of salary account.

M

One Enclosure.

Legation of the United States.

Peking, July 14th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:

In reference to my despatch of the 30th ultimo, I have now the honor to hand to you, herewith, a duplicate of / statement of my account for salary for the quarter ended with that date.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

Enclosure.

Enclosure.

1. Duplicate statement of salary account for the quarter ended June 30th, 1880.

No. 728. One Enclosure.

Legation of the United States.

Peking, July 14th, 1880.

DEPARTMENT OF STATE
SEP 15 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Refers to despatch number 725. and forwards a duplicate of the account.

M

No. 728. One Enclosure

Legation of the United States.

Peking, July 14th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:-

Recurring to my despatch, number 725. I have now the honor to hand to you, herewith, a duplicate statement of the rent account of this Legation for the quarter ended June 30th, 1880. 1/728.

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward

Enclosure.

Enclosure.

1. Duplicate of rent account statement for the quarter ended June 30th/4, 1880.

No. 729. Two Enclosures.

Legation of the United States.

Peking, July 14th, 1880.

DEPARTMENT OF STATE
SEP 15 1880
RECEIVED

George F. Seward to the Secretary of State.

Subject.

Salary accounts.

Synopsis.

Refers to despatch number 714. and covers duplicates of Mr. Seward's salary accounts.

JM

No. 729. Two Enclosures.

Legation of the United States.

Peking, July 14th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Recurring to my despatch, number 714. I have now the honor to hand to you, herewith, the duplicate statements of my account for salary for the quarters ended March 31st and June 30th 1880. 1./ 2/729

I have the honor to be,

Sir,

Your obedient servant.

Geo. F. Seward.

Enclosures.

Enclosures.

1. Duplicate of salary account statement for the quarter ended March 31st/4, 1880.
2. Duplicate of salary account statement for the quarter ended June 30th/4, 1880.

Ask to say that upon his explanation the postage will be charged to Mr. Bailey's acct., but as the printing was done by the Min's request, there seems to be no good reason why the charge shd be laid upon the Consulate. If the contingent fund of the Legation is insufficient to include the outlay it should not have been incurred at all.

No. 30.

Inform Mr. Bailey & Bureau of Accts. C. P.

Instruction of Sept. 20, 1880 to Mr. Angell

Legation of the United States.

Peking, July 14th, 1880.

Wrote Accts Oct. 8. 1880 Mr Bloodgood

George F. Seward to the Secretary of State.

Subject.

Expenses for postage and printing.

Synopsis.

Refers to Department instruction number 356, objects, for reasons stated, to pay the items in question, and requests that they may be allowed in Mr. Bailey's accounts.

DEPARTMENT OF STATE SEP 15 1880 RECEIVED

No. 730.

Legation of the United States.

Peking, July 15th, 1880.

Honorable William M. Evarts.

Secretary of State.

Sir:—

Recurring to your instruction, number 356. in regard to certain items of Mr. Bailey's miscellaneous expense account, I beg leave to state that Mr. Denny has sent to me a number of vouchers which I presume to be those which were objected to as properly chargeable to this Legation.

One set of these vouchers is as follows:—

For

"For postages —	31st Octr. 1879	$6.75
do. do.	29th Novr. "	5.31
do. do.	31st Decr. "	1.97
		$14.03

So far as I can judge these items cover payments for mail matter sent to the Legation. Inquiry of Mr. Bailey will doubtless show that this mail was more or less perfectly official in its character, and my instruction to him was to prepay and charge to the Government postages on official matter. This Legation is obliged, at the expense of its incidental allowance, to prepay the postage upon all despatches sent to the Consulate General, or through that office to the several Consulates

Consulates. It is not to be supposed that the Department also expects this Legation to pay the postage upon official matter received by it from the several ports.

Among the vouchers sent up by Mr. Henny are also the following:—

"For printing 22nd " Octo. 1879. $40.00
" do. do. 31st " Octo. " 30.00
do. do. 3rd " Nov. " 26.00

$96.00

These items show the cost of certain printing done by order of the Consul General at my request. The documents printed were for the Consulates, the Department, and a few copies of them were given to other members of

of the Diplomatic Body. One document was the Chinese Circular of 1878, the others were my Memoranda in regard to judicial procedure and reforms, copies of which were sent to you with my despatches, numbers 499 and 505 of November 1st and 18th respectively.

I see no reason why either Mr. Bailey or myself should pay for printing required for the public service. Such printing done heretofore at Shanghai, at the request of the Minister, has been paid for by the Consul General and charged to the Government. If it is to be charged back to me, I have simply

simply to pay it out of my own means, as the Department has never yet granted to the Legation a sufficient sum to cover its contingent expenses. The necessary expenditures under that head for the fiscal year ended June 30th ultimo have exceeded the increased allowance granted in the Department's instruction number 299. by more than $50. without including the items which form the subject of this despatch, and without including various other expenditures which should properly be met by the Government.

I respectfully ask, therefore that the several items for official postage, aggregating

$14.13

——————————— $14.03

and for printing, aggregating 96.00

Total $110.03,

to which I presume your instruction refers, be allowed in Mr. Bailey's accounts.

I have no copy of his account presenting these items to the Government, and I have only recently received from Mr. Fleming the bundle of vouchers upon an examination of which I now write.

I have the honor to be,

Sir,

Your obedient servant

Geo. F. Edwards